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## Legislative Assembly of Ontario

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## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Monday 31 October 1994

# Journal des débats (Hansard)

Lundi 31 octobre 1994



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers

*50th anniversary*

**1944–1994**

*50<sup>e</sup> anniversaire*



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 31 October 1994

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 31 octobre 1994

*The House met at 1330.*

*Prayers.*

### MEMBERS' STATEMENTS

#### RAE DAYS

**Mrs Elinor Caplan (Oriole):** Scary stories are appropriate for Hallowe'en. This new book, entitled *Rae Days: The Rise and Follies of the NDP*, provides Ontarians with a scary but true look at the incompetence, ignorance and arrogance of Bob Rae's New Democratic government. The stories are really scary.

On page 126 we have Jenny Carter, the former Minister of Energy, advising the cabinet not to provide aid to Elliot Lake uranium workers, saying: "Why bother?... They'll all be dead of cancer soon anyway." I tell you, that is scary.

On page 68, Bud Wildman tells the Premier that the best thing about his appointment as the new Minister of Environment and Energy is that he'll be able to reverse Ruth Grier's decision not to allow Toronto's garbage to be shipped to Kirkland Lake. So what happened? That's scary.

In one of the most important and I think incompetent moves in political history, Ruth Grier described on page 179 her failure to read the social contract simply because she was in a rush to go on vacation. Very scary.

But the scariest comment of all that I think sums up Bob Rae's incompetence and his government's incompetence is what David Reville says on page 49. To remind you, David Reville is the man who, until accepting a patronage appointment last month, held one of the most senior posts in the Premier's office. This close friend and trusted adviser of Bob Rae summed up the NDP government as a group that had good intentions but didn't have any idea how to make things work—and they still don't.

This goes on to point out what a scary government we have as we begin this session on Hallowe'en, and what he says is that their leader, Bob Rae, doesn't know who or what he stands for any more. That's scary.

#### LONG-TERM CARE REFORM

**Mr Allan K. McLean (Simcoe East):** My statement is for the Minister of Health and it concerns her long-term care bill, Bill 173, which is a misguided attempt at revamping care for seniors and disabled citizens.

The Health minister and her government have embarked on a campaign to stamp out many of the 1,200 volunteer groups, charitable organizations and businesses, such as the Canadian Red Cross and the Victorian Order of Nurses, that provide seniors and disabled citizens with services. This would mean that an agency like the Canadian Red Cross, which provides 97% of homemaking services and 100% of all home-based, non-medical support services in Simcoe county, except Orillia, would be

shut down in favour of a government-mandated multi-service agency.

In Huronia, more than 280 volunteers complement the home support service program that employs eight people for the nearly 300 frail elderly clients in the region. Red Cross homemakers in Huronia employs nearly 50 staff and services a range of clients who also number about 300.

Officials with the Canadian Red Cross, the VON and the Saint Elizabeth Visiting Nurses' Association of Ontario estimate as many as 11,900 of their employees would face layoffs if Bill 173 passes.

The Red Cross and the VON support initiatives to improve the quality of service. In fact, both groups have developed an MSA model that builds on existing strengths and eliminates any perceived problems without dismantling the existing structure.

I say, withdraw the bill; amend it properly.

#### OPPOSITION PARTIES

**Mr Derek Fletcher (Guelph):** It's Hallowe'en night, and there's going to be a lot of knocking on doors all over Ontario. I wonder if the leaders of the opposition and third party have thought about sending their caucus members out for some practice.

Both the Liberals and the Tories are good at disguising themselves, but once they get in your door, they cart away all the goodies they can carry. Liberal leader Lyn McLeod could go out as the Invisible Woman: Knock, knock; flip-flop. Who's there? Lyn. Lyn who? Now you see her, now you don't. The Conservative leader's clown suit is tiresome with the electorate this year, so he's going out as the Grim Reaper, or should I say the Grim Ripper. Slash, slash, slash. Mike the Knife has gone so far to the right that his own party members are scared. No matter what you put in his bag, he's going to be asking for more.

But if Ontarians really stopped and thought about what they were opening the door to, I think they'd be scared silly. We've seen the horrors caused by the Liberals' vague policies and window-display spending and by the Tories slash-and-burn policies. They're the ones who littered the streets and soaped Ontario's windows in a fright night that lasted for decades. We're the government that cleaned up the mess, and we're the ones who cut spending more than any other ruling party in Ontario's history. We're the ones who got people back to work and companies investing again. We're the ones who are managing.

And at last the Liberals and Tories have agreed on something. They'd like to throw about 85,000 Ontarians out of work. They'd like to dismantle Jobs Ontario, the most successful job creation program in North America.



The Tories and the Liberals want to dismantle it, but both parties promise to create jobs if elected. I'd like to see how they do that on this scary night.

#### ADVOCACY AND GUARDIANSHIP LEGISLATION

**Mrs Barbara Sullivan (Halton Centre):** The government has stated that in two months' time, new laws governing advocacy, substitute decisions and consent to treatment will be proclaimed. Those laws will mean that advocates and rights advisers will be able to intervene when a person requires medical care, when a person needs consent for medical care given by someone else and when a person wishes to exercise a power of attorney for property or for personal care.

From the beginning, we have insisted that the advocacy legislation will hurt people who require care by creating unnecessary delays and by pitting the patient against the practitioner. The government plowed ahead and brought some 400 amendments to the table, many of them ill thought out, confusing and contradictory.

Where are we now, two years later, two months from the start date? Are the rights advisers in place and trained? No. In fact, there are no trained rights advisers because there's no training program and no training manual is being written and no trainers are available.

Will the rights advisers be in place to ensure that the law's applied equally everywhere in Ontario? No. Not one trained rights adviser's in place in Toronto for its 44 hospitals, let alone in Red Lake or Sudbury or Cornwall or any other place.

Once again, this government has shown its incompetence and once again people will be hurt, because its words and its music are once again in a serious mismatch.

#### HIGHWAY IMPROVEMENT

**Mr Ted Arnott (Wellington):** In the first words I uttered in this chamber in November 1990, I called upon the Minister of Transportation to proceed with improvements to Highway 6 in Wellington county. Part of that work is nearing completion, the stretch of Highway 6 between Guelph and Fergus. The resurfacing and the addition of passing lanes will improve the flow of traffic and improve safety in that area.

I want to extend my thanks to the municipal councils in Wellington and to ministry officials who supported my efforts and encouraged the provincial government to start work on Highway 6.

Today, as the new minister assumes the Transportation portfolio, I would like to draw to his attention the need for further improvements to Highway 6, including more passing lanes in the stretch north of Fergus to Mount Forest.

Highway 6 is a major north-south transportation corridor for all of Wellington, and it's our main access to Highway 401. The construction of passing lanes for this stretch of highway is particularly necessary in order to help us attract new industries to Wellington.

We have ambitious and aggressive industrial development plans under way in Wellington county. Our area offers many benefits to industries that are seeking an Ontario location. Wellington county is centrally located

and has the most loyal, hardworking and cooperative workforce in the province. Industrial land is available at a very competitive rate, and local governments in Wellington are very supportive of industrial growth. The county's proximity to Highway 1 is also an important consideration for many companies that are looking for a location that will allow for efficient movement of their goods to market.

The continuation of improvements to Highway 6 north of Fergus to Mount Forest is an investment in the area's infrastructure which will pay handsome dividends in terms of industrial growth, prosperity and job creation in Wellington, as well as improved safety for all motorists who use it. I urge the new minister to act promptly and give high priority towards needed improvements to Highway 6 through Wellington county.

1340

#### PRINCE EDWARD HEIGHTS

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** Prince Edward Heights is a schedule 1 facility for people with developmental disabilities. A staffing review recently completed indicated that there should be a reduction of about 66 staff. As stated in the review, the purpose of the direct care staffing review was to ensure that the staffing responses required by the residents of Prince Edward Heights were sufficient and were organized effectively and efficiently to meet the needs of the residents.

I understand that the staffing reduction, if necessary, would be accomplished over time and mostly through attrition.

The administrator, John Hewitt, has indicated that no decisions have been made as yet and has asked for responses to the review by those affected. I believe all staff should have had input throughout the review process in a genuine, cooperative partnership to thoroughly examine the need for all services within the context of existing resources.

Prince Edward Heights has for 24 years been an integral part of the town of Picton and the major employer in Prince Edward county. The viability of Picton and the county depend on the existence of Prince Edward Heights. Prince Edward Heights complex is a well-maintained community, a place where people live and, most importantly, a place that special people call home.

Before I was elected to this office, I fought to maintain the excellent services provided by Prince Edward Heights. I have continued this determination throughout my tenure and will continue to do so. Let there be no doubt I am extremely concerned about client care and supervision, the potential reduction of 66 staff positions and the continuing existence of Prince Edward Heights as the province of Ontario's finest facility/community for people with developmental disabilities.

#### LEADER OF THE THIRD PARTY

**Mr Steven Offer (Mississauga North):** On this October 31, I would like to award Mike Harris a prize for the best costume for his impersonation of Doug Henning and his yogic flyers dressed in Preston Manning's new taxpayer-funded suits.



You remember the Common Sense Revolution, don't you? That's where PC Mike Harris says he'll make magic by cutting \$6 billion out of the budget without touching a penny of health, education or police spending.

Over the weekend, we heard more from that financial wizard and author of the Common Sense Revolution, the leader of the Progressive Conservatives. It seems that Progressive Conservative Mike Harris was addressing a group of tourist operators last weekend when not only did he promise that he would not cut the budget for the Ministry of Culture, Tourism and Recreation; he also promised a separate Tourism ministry and increased Tourism spending.

Funny, a couple of months ago when Mike was in Sudbury he promised that the budget for the Ministry of Northern Development and Mines would not be cut. There seems to be a pattern developing here. When speaking to farmers, presto, Mike Harris promises not to cut agricultural funding. When speaking to women's groups, he promises to increase child care funding.

PC Harris is trying to be all things to all people. He is an old-style politician who tells people what they want to hear in order to get votes. He hopes that if he closes his eyes, waves a magic wand and says, "Abracadabra," everyone will forget his promises. I am here to tell him that we won't. What we see is nothing more than just some tired Tory promises.

#### BREAST CANCER

**Mrs Elizabeth Witmer (Waterloo North):** October was Breast Cancer Awareness Month and I would like to remind all members of the importance of this issue. Unfortunately, one in nine women can expect to develop breast cancer during her lifetime, and 6,000 women in Ontario will be diagnosed with breast cancer this year, while 2,100 will die.

Given these shocking statistics, I am concerned about recent reports that the government is limiting women's access to new and innovative drugs which can help them. For example, many women are being denied access to Taxol, a drug which has been described as the most promising anti-cancer drug in decades, because hospitals are unable to cover the costs of this drug without assistance from the provincial government. Many women are not even being offered the chance for treatment with this drug because the hospitals must cover the cost and they cannot afford to do so.

This problem goes beyond simply providing access to this one specific drug. As new drugs and treatments are introduced, women will be denied access to them because of this government's mismanagement of the health care system. It is imperative that the government recognize the importance of providing women with the best possible treatment when they are stricken with breast cancer. I urge the Minister of Health to take immediate action to ensure that women do have access to the drugs and the treatment that they need and deserve.

#### LONG-TERM CARE REFORM

**Mr Donald Abel (Wentworth North):** Last week, Liberal leader Lyn McLeod, along with the member for Ottawa-Rideau and Liberal hopeful Chris Ward, stormed

St Joseph's Villa, our senior citizens' facility in Dundas, supporting claims that Bill 173 and long-term health care will eliminate thousands of volunteers and staff positions, create a huge government bureaucracy, and even went so far as to claim that less funding was going towards health care. Those claims are absolutely ludicrous and they know it.

In our local paper, the Dundas Star, on the third page the headline reads, "Liberals Will Try to Stall Long-Term Care." There it is, right there. The first paragraph says, "Ontario Liberal leader, Lyn McLeod, says her party will do what it can to prevent an NDP plan to overhaul long-term health care from becoming a reality."

Are the leader of the Liberal Party and her members that much out of touch that they don't realize that long-term care reform is an issue that people in Ontario have been asking for for at least 10 years? When the Liberals were in power, they promised reform and they did not deliver.

#### Interjections.

**The Speaker (Hon David Warner):** Order.

**Mr Abel:** You did not deliver, plain and simple.

I find their tactics nothing more than fearmongering, instilling fear in the minds of our senior citizens in Dundas all for the sake of obtaining votes. Their behaviour is shameful and inexcusable.

**Mr Gregory S. Sorbara (York Centre):** On a point of order, Mr Speaker: Given that we are beginning the fall session of Parliament and given the fact that there have been so many cabinet changes over the past few weeks, I wonder if I might ask that all of the cabinet ministers stand up and identify themselves and tell us what portfolio they're responsible for over the next week or two.

**The Speaker:** To the member for York Centre, I appreciate his interest, but unfortunately he does not have a point of order.

#### LEGISLATIVE PAGES

**The Speaker (Hon David Warner):** I ask all members to join me in welcoming the 19th group of pages to serve in the third session of the 35th Parliament:

Jessica Arsenaault, Hastings-Peterborough; Jennifer Balez, Nickel Belt; Lisa Carty, York South; John Chapman, York Centre; Julia Croome, Mississauga East; Lesley Grieve, Oxford; Geoffrey Hamilton, Durham Centre; Jonathan Hooper, Timiskaming; James Istchenko, Victoria-Haliburton; Brian-Jason Lackan, Scarborough Centre; Brady Laska, Renfrew North; Mark Lewis, Huron; Shelley Manuliak, Halton Centre; Angus McLean-Wilson, Elgin; Kimberley Misner, Brampton South; Elora Moreau, High Park-Swansea; Ianjai Mounsey, Durham West; David Petheram, Norfolk; Kenneth Schott, Bruce; Gerry Thibert, Windsor-Walkerville; Tiiu Vail, Nipissing; Tara Voros, Chatham-Kent; Lise Watson, S-D-G & East Grenville; and Graeme Whitty, Beaches-Woodbine.

Please welcome our latest group of pages.

#### VISITORS

**The Speaker (Hon David Warner):** I invite the members to join me in welcoming to our assembly this



afternoon, and indeed our country, and seated in the Speaker's gallery, members of the Lower House Parliament of the state of Bihar, India, headed by the Speaker, the Honourable Ram Vilas Paswan. Welcome.

We have other special guests also seated in the Speaker's gallery, and I would invite all members to join me in welcoming Ms Gillian Sorensen, the undersecretary general of the United Nations; the Honourable Walter McLean, former member of the House of Commons, Canada, and the United Nations 50th Anniversary Committee chair; as well as Ambassador Dean Brown, secretary of the United Nations 50th Anniversary Committee. Please welcome these people to our gallery.

1350

#### RESIGNATION OF MEMBERS

**The Speaker (Hon David Warner):** I beg to inform the House that during the recess, vacancies have occurred in the membership of the House by reason of the resignations of Zanana Akande as member for the electoral district of St Andrew-St Patrick, effective Wednesday, August 31; Donald Cousens as member for the electoral district of Markham, effective September 30; Murray Elston as member for the electoral district of Bruce, effective October 15; and Will Ferguson, member for the electoral district of Kitchener, effective October 8. Accordingly, I have issued my warrants to the chief election officer for the issue of writs for by-elections.

**Hon Bob Rae (Premier and Minister of Intergovernmental Affairs):** Mr Speaker, I understand there is unanimous consent from all members to recognize the countdown to the 50th anniversary of the United Nations.

**The Speaker:** Do we have unanimous consent? Agreed.

#### ANNIVERSARY OF UNITED NATIONS

#### ANNIVERSAIRE DES NATIONS UNIES

**Hon Bob Rae (Premier and Minister of Intergovernmental Affairs):** Today I had the pleasure of participating in the celebration of the countdown of the 50th anniversary of the founding of the United Nations, together with His Honour the Lieutenant Governor; the Speaker of the Legislature; Ms Gillian Martin Sorensen, the undersecretary general for the United Nations; the Burlington Teen Tour Band; the Orde Street school choir; and youth representatives from UNICEF.

Today's events at Queen's Park were part of an effort across Canada and around the world to reflect on the achievements of the United Nations and to look towards renewal and reform of the UN to prepare it for the challenges of the 21st century.

On October 24, 1945, a group of 51 countries, including Canada, formally became the United Nations. Now, 186 nations send representatives to the UN. Canada has played a role in the United Nations that we can all be proud of. In 1956, Prime Minister Lester Pearson delivered a historic address to the United Nations proposing that military forces should be used for peace, and thus the first UN peacekeeping force was sent to the Sinai. Prime Minister Pearson was awarded the Nobel Peace Prize for his contribution to the resolution of the Suez crisis.

Some 50,000 Canadians have worn the blue beret of the United Nations, more than from any other nation. I would like to take the time today to recognize members of this House who are former members of Canada's peacekeeping efforts: Mr Gilles Morin, the Deputy Speaker of the House, and Mr Gordon Mills, the MPP for Durham East.

Not only have Canadians committed their energies to peacekeeping forces, but thousands of civilians have devoted their lives to UN service. A former member of this Legislature and the former leader of my party was the Canadian ambassador to the United Nations and now works for UNICEF. Maurice Strong, the chair of Hydro, was involved in early UN relief efforts in Ethiopia. He's headed two historic UN world environment conferences and is the founding director of the UN environment program.

The current director of the UN environment program is also a Canadian, Elizabeth Dowdeswell. Dr Brock Chisholm, a famous Canadian, was the first director of the World Health Organization established by the United Nations, and William O'Neil, current secretary general of the UN International Maritime Organization, is also a Canadian.

Ontario too has a proud history of involvement with the UN. L'Ontario a également une fière histoire pour ce qui est de sa participation aux activités de l'ONU. La collecte d'Halloween de l'UNICEF est maintenant une tradition vieille de 39 ans qui a commencé en Ontario. L'année dernière, des enfants canadiens ont amassé plus de 3,4 millions de dollars pour l'UNICEF et pour les enfants qui bénéficient du programme dans les pays en voie de développement. Un peu moins de 1 million de dollars a été amassé par des enfants ontariens.

As I'm sure you know, Mr Speaker, in 1994 the United Nations declared Toronto the most multicultural city in the world. In a sense, Ontario is very much like the United Nations. Like the United Nations, the government of Ontario sees health, education and the environment as top priorities, and so the Ontario government's involvement in the celebration of the United Nations' anniversary for this year will focus on these central issues. In the forthcoming year, the Ministry of Education and Training, the Ministry of Environment and Energy and the Ministry of Health will all highlight programs with United Nations themes. I am particularly proud that this government and this House, together with the people of Ontario, have had this opportunity to demonstrate our support for the United Nations.

If I could just speak personally for one moment, I grew up in a family in which work and support for the United Nations was second nature. I am looking across to the member for York-Mackenzie, whose uncle was also one of my father's closest colleagues and dearest friends. He was, I believe, present at the San Francisco conference in 1945, while my father was at the Paris peace conference in the same year. If I can just say personally, for me it is a moment of reconciliation with our history and with our best international traditions to recognize that Canadians from all walks of life have been the key and critical supporters of this magnificent international institution,



which needs our support and our understanding at this time as at no other, and I appreciate very much the opportunity to say these things to the House.

**Mr Alvin Curling (Scarborough North):** My colleagues and I would also like to pay tribute to a world organization that has now become a world institution on its own. As we look at 1995, when we celebrate the 50th anniversary of the United Nations, we know we have to re-examine what it was formed about. It has grown to a very large institution now. As it's stated, it was then put in place to promote social progress and better standards of life and larger freedom and to employ international machinery to the promotion of the economy and the social development of all peoples.

I recall too that when the United Nations was formed—when I say “recall,” it is through history and looking at the books—there was great hope in the world; that when we saw a lot of violence and war, we hoped we could come together as one people in order to realize that we fight for freedom and fight for some sort of peace and tranquility in this world.

But there are other issues that the United Nations has been noted for. Canadians, of course, have played a very, very important role and have made their mark in this great institution, this great organization. Their accomplishments have been remarkable. But as we look back at the last 50 years, we realize that there are many other things which we must address.

We talk about reform now in the time when we are looking at issues of hunger and starvation and housing, many of these issues that plague many of the developing countries. I recall too that in 1986, when I visited Kenya in my portfolio as the Minister of Housing, in the International Year of Shelter for the Homeless that was put on by the United Nations, Canada itself was struggling to acknowledge the fact that it too has a problem of homelessness. The fact is, in getting together with many of my colleagues across the world, we realized that we have a struggle that we must get together in order to resolve.

Over 50% of the children of Africa are still being malnourished. The fact is that we have to come together in a world where we have more food than could feed all the world, but still yet we have hunger. We have more materials to build houses, yet again we find we are unable to house the people of this world. Also, of course, people are dying from the lack of good health plans and still yet we are unable to distribute effectively, to resolve some of the diseases, although the record of the United Nations stands very, very strong in eliminating many of those diseases.

One of the things very close to my heart and which is painful in a way, is the matter of illiteracy. Illiteracy has plagued this world, especially the developing world. I know the United Nations can be charged in the sense of addressing that issue, and with that could come many other things: good health, good housing and many other things that need to be addressed. Women in our society, across the world, have not yet been addressed in the proper way in where they can assert themselves with equal rights within this world.

As we stand today and celebrate the coming of the 50th anniversary of the United Nations, and as we stand today and see almost 1,000 people now are part of the United Nations, we still have many of the challenges there. So in the reform of the United Nations—and I'm glad that those who are present here were very much part of the reorganization, the reform—to look very much so that we are one people suffering in many ways, from lack of income, lack of food, lack of good health care, that this can be redistributed in a proper way.

1400

Canada, yes, has played a very important role. We can play more. Many of the people of this world are still reaching out and wondering, why is it that they still cannot assert themselves in a world that has such great abundance?

The environment itself is something that must be addressed with more vigour. Of course, as the Premier stated, that his government has asserted itself in that direction, I would say that all members here in the Parliament feel so strongly about the environment that it also must find in a nonpartisan way that this in itself must be addressed, because as they say, the chicken will come back home to roost. If we don't look after the environment itself, we ourselves will suffer from that.

I look forward in the 50th year, as it comes forward, that poverty itself, hunger, the ill health of thousands of people and illiteracy itself could be wiped away from this wonderful earth of ours.

**Mr Michael D. Harris (Nipissing):** I too want to speak to the Legislature briefly on the very important issue of the 50th anniversary of the founding of the United Nations. Today we are joined by hundreds of representatives of Ontario's schools, UNICEF, in a dedication to global peace and to the children of the world.

Ontario is beginning a year of planning and of celebrations to commemorate the founding of the United Nations, and indeed it is a celebration at the same time as it is a wish and a desire to go forward, always with some fear and some trepidation, but always with a desire to go forward as the role of the United Nations, we hope, changes. It's a particularly important celebration here in Canada, because since 1945 we as Canadians, certainly per capita or per wealth, have contributed so much to the United Nations and to its mandate to prevent war and to maintain peace.

Back in the mid-1960s Canada played a leading role in the UN by coordinating the first international UN peacekeeping force. Since, we've sent peacekeepers to Cyprus, Mozambique, Egypt, Somalia, Bosnia, recently to Haiti.

Recently I was in the Israel airport in Tel Aviv and there were a number of young Canadian peacekeepers. I chatted with one, a young woman who was getting ready to head to the northern border as part of the Canadian role. I had my Canadian flag on, and we had quite a nice chat. I was impressed with the pride and the sense of doing something meaningful for Canada and for the world that this peacekeeper felt. Perhaps showing my age, I also was a little surprised that this young woman, to



me, didn't look old enough to be there and ought to have been back in school.

Over the past 30, years Canada has been both a leading financial supporter and a leading military contributor to United Nations peacekeeping efforts. But I want to say that we've also played a most important role through UN's affiliate organizations such as the World Health Organization. Canada has sent delegations to every major World Health Organization conference and been involved in special projects in Third World countries to provide our less fortunate brothers and sisters with vaccinations, clean water and medical care.

We've served as an outstanding role model for other nations. We've maintained the world's longest unprotected border, I think an example that we and the United States should be proud of to show the rest of the world. It's in that spirit that I believe Ontario will make a significant contribution to the celebration.

I particularly today think of the children, the musical featuring the renowned Scarborough Children's Concert Choir, made up of children from 40 ethnic backgrounds; as the Premier said, very much a reflection of multicultural Ontario, very much, of course, a reflection of the multicultural diversity of the United Nations. The Burlington Teen Tour Band, Canada's premier tour band, acknowledged as such, is off in May to Holland to represent Canada. Sometimes we're too close to our own, as the member for Burlington South has said, to appreciate the excellence of so many of our youth. Of course, the Scarborough children's choir is off to tour North America in June.

We indeed can rise with some pride—not perfect, of course, but pride—in goals that have been universally accepted by us all in Canada, and indeed Ontario played a major role in this. I might add that we, in celebrating, ought to look to the future, ought to look to children of the world, to the more vulnerable of the world.

If I might make a pitch for something we could do in a very non-partisan way in 1995 here in Ontario, for whichever 130 or 99 of us are here, for whichever party is governing at that particular point in time, I might add that during this 50th anniversary of the United Nations one of the leading global concerns of the United Nations has been for victims' rights. Perhaps here in Ontario we can find within us the ability to move forward. Here in Ontario, where Professor Irving Laller, an Ontario professor, drafted the UN resolution on victims' rights, we could lead the way in this province in having legislation protecting victims' rights in our own province.

**Hon Brian A. Charlton (Government House Leader):** Mr Speaker, I would seek the unanimous consent of the House to make a few comments about Murray Elston, the former member for Bruce, who has joined us this afternoon in the opposition gallery.

**The Speaker (Hon David Warner):** Do we have unanimous consent? Agreed.

MURRAY ELSTON

**Hon Brian A. Charlton (Government House Leader):** As I said a few moments ago, Murray has joined us this afternoon in the opposition gallery. I'm not

sure, as this would have been his first day absent from this place as a result of his resignation, whether Murray's quite fully made up his mind to leave or not.

Murray Elston was first elected in 1981, just four years after I was elected to this Legislature, and in the early 1980s Murray and I got to work together, both of us at that time in opposition, around some environment and energy issues. That was our first exchange of ideas, I guess is the best way to put it, and our first growing to know each other and beginning to understand each other.

Since that time, though, in many respects our careers have been quite parallel. After the 1985 election, Murray was appointed to cabinet as Minister of Health and then two years later moved to Management Board and then into Financial Institutions. As you know, those are both portfolios which I have held during this term of office; Health Murray had, and I had Energy in addition to that. But although our careers have been quite parallel, it would appear that Murray's has ended slightly before mine.

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I'll leave it to Murray's caucus colleagues to perhaps reveal some of the anecdotes about life in the Liberal caucus with Murray, but I'd like to take a few moments to speak about my relationship with Murray as a House leader. As you know, Mr Speaker, in addition to his cabinet responsibilities in the late 1980s, he spent a good piece of the last four years as the opposition House leader.

He was out of that role for a short time while he played interim leader and then while he participated in the leadership race but has been a very, very able and I think effective House leader for the official opposition. Especially when you take into account the range and variety of different viewpoints in that caucus, the member for Bruce did I think a very magnificent job of pulling that together from time to time and playing a very effective role on behalf of the official opposition party as House leader.

Murray is also one of those people who I think it can be fairly said was very sincere about his support of the legislative process here in this chamber. There have been some who have spent time in this House who have been committed to the parliamentary legislative process that is reflected in both the current day and the traditions of this Legislature and a number of others around the world. Murray was one of those and is one of those who was very committed to the operation of this place and to the adherence to the rules of the Legislative Assembly, unlike some others who have been much less reverent about our day-to-day business here.

That was constantly reflected in how Murray operated as the House leader for the official opposition. It was reflected in how he challenged the government around the use of the rules. It was also reflected in how he dealt with the government and with the third party in the House leaders' discussions around the process of business in this place. Murray I think added a very important dimension, and I guess in the same mouthful I should say that the current House leader for the third party is of the same ilk, which to some extent has helped us in terms of

the role that House leaders have in terms of from time to time lowering the level of emotion in this place and bringing the orderly operation of this place back to some kind of momentum that was useful.

Murray Elston I think is an example of a public servant in this province, someone who gave of himself in political life, who left a law practice to get himself elected here and who left his family in rural Ontario and I think felt some significant pressures as a result of that with very young children and so on, to serve in what you know, Mr Speaker, is a very difficult setting away from home. In the roles he took on I think his commitment is reflected, not only because of their importance but because of the hours that we know those roles demanded.

The kind of commitment that people like Murray Elston and others in this Legislature bring to this job I think is a wonderful credit to a system that sometimes is criticized and abused from outside somewhat unfairly. Murray, for me, is one of those parliamentarians and elected representatives who in fact took of all his responsibilities here seriously and I think carried them out extremely well.

The Legislature will miss Murray and I personally in many respects will miss him as well in terms of our personal relationship as House leaders. I know his predecessor will be different to work with, but—

**Interjection:** Successor.

**Hon Mr Charlton:** Isn't that what I said, "successor"?

**Mr Gregory S. Sorbara (York Centre):** You said "predecessor."

**Hon Mr Charlton:** Oh, I'm sorry. His successor will be different to work with but I think appropriate.

But I will miss Murray. I wish him well in his new job and I hope that his family will be much happier with him much closer to home. I honestly hope he doesn't get the urge to return here.

**Mr Michael D. Harris (Nipissing):** I welcome the opportunity to say some things about the member for Bruce, but I'm going to save my best material for the Rotary person of the year roast that I'm sure is coming up to honour Murray once everything gets settled at the Bruce Energy Centre with sustainable development and what not. Let me confine my remarks today to a few anecdotes and a few words that I believe reflect the esteem that the member was held in by all members of the Legislature.

It was interesting that the member for Hamilton Mountain indicated that the member for Parry Sound was of the same ilk.

**Interjection.**

**Mr Harris:** I thought they were of the same ilk. They were elected together, as I was, in 1985.

**Interjection.**

**Mr Harris:** You're right, they weren't cut from the same cloth or the same silk; we didn't hear that. But the member for Parry Sound, beside me, said: "No, we're not of the same ilk at all. We're very different." Yet in many ways both left one profession, which I was just reminded

of, the profession of law, and went on to the profession of politician, so you choose between which of those two the public deems to be of the highest esteem these days; I'm not sure. Both, though, sought to serve people: their constituents, indeed the people of Ontario. In that sense, I agree they're of the same ilk.

The only other comment I want to make about the member for Parry Sound was that in 1981, when we were elected together—Ernie, Murray and I—a long time ago, 1981, the only person I think who won with fewer votes than did Murray—I think it was 220-odd votes—was landslide Eves from Parry Sound. Both of them came in the great landslide election. Of course, they went on from there, after Murray's constituents saw the work he did on their behalf, to get elected with bigger and bigger pluralities, regardless of the provincial trends.

When Murray was leaving for the private sector, I wasn't surprised that he didn't go with the Ontario Medical Association, as I reflected on a number of the achievements over the years. Some have suggested that maybe there would be opportunities in the insurance industry; I'm not sure. But isn't it fitting that with all the years of service that he put into his constituency, he took a job that he felt was going to provide the maximum benefits, the success of the endeavour so crucial to the people whom he represented for those 13 years? I believe that says something about Murray as well.

1420

We've served together in opposition and in government, and in this we were unanimous in agreement: We preferred being in government to being in opposition. We were of like mind on that. We've travelled together. We fought acid rain battles together in the sulphur-laden coalfields of Michigan. I don't think I've ever put on the record how disgusted I was with the senator—I can't even remember his name—of Michigan.

**Interjection:** Byrd.

**Mr Harris:** Byrd, who tried to hijack a conference on acid rain emissions, suggesting that the best thing that could happen to the world would be to continue to burn, virtually unabated, heavy sulphur-laden Michigan coal.

Perhaps these comments can get back to him at some particular time, how insignificant I thought his contribution was to that particular conference, paling in comparison to that of a very non-partisan representation that was made by the House leader from the New Democratic Party, along with the government and with Mr Elston. At that particular point in time, it was a Progressive Conservative government, but it was a united Legislature fighting for what we believed in for Ontario and Canada against, at that particular time, a US policy.

I indicated when Murray stepped down that throughout the opposition, working together, the friendships, I felt his character through these common bonds certainly left me—and I say on behalf of my caucus and party that Ontarians are losing certainly one of the ablest of their legislators. The integrity, the dedication, his experience, the memory of government and its workings are a loss to us all regardless of party, and indeed his good humour and his intelligence served his constituents and his



children well—sorry, his constituents and Ontario well. I was getting ahead of myself to his children, because we share something else in common, and that is raising young children at a time when we are in Toronto and around the province living in smaller towns is very difficult.

I know if there is a winner, and there are always winners and losers in decisions, in this one we're the losers, Ontario is the loser, the Legislature is the loser. The winners are indeed Trudy and Jeannine and Erin and James and Gillian and Sean, who will see a little more of their father than they have seen in the past 13 years.

**Mrs Lyn McLeod (Leader of the Opposition):** It is with considerable appreciation and equally with considerable regret that I join in the tribute that's being paid to Murray Elston today. My regret of course is that Murray will no longer be with us in the Legislature or in our caucus. Without any question at all, we will miss him.

My appreciation is probably equally clear, and that's for the absolutely enormous contribution that Murray has made and that the government House leader and the leader of the third party have touched on, an enormous contribution, certainly to our caucus, to the Legislature, to the Ontario Liberal Party, to the people of Bruce and I believe to the people of the province of Ontario.

When I arrived in government in 1987, Murray Elston had already established his reputation for competence in dealing with the very tough issues that faced the Minister of Health. In the government of 1987 he was stick-handling the equally tough internal issues that face the Management Board chair, and I can tell you that I appreciated, as a colleague, as a new minister in that government of 1987, the approach Murray brought to his role.

I think I can best describe it as saying that Murray Elston has a capacity to see the essential issues clearly and that he is always ready, has always been ready, to provide support for a case that he felt was a sound one. I consider those qualities to be absolutely essential in a trusted colleague and I think that was true of Murray Elston's approach to any issue, that he combined a grasp of the essence of what was involved with a commitment to support what he believed was the right direction.

We all recall, of course, that Financial Institutions was added to the responsibilities that Murray had as the Chair of Management Board, and in the interest of a totally non-partisan tribute today, I am not going to dwell on one of the significant issues of his tenure in that particular portfolio. We've leave the auto insurance recollections for another day and another place.

Murray has made an outstanding contribution to our caucus, I believe, in his work as our House leader over the past two and a half years, and that is one of the reasons why we'll miss him, although I agree with the government House leader that the member for St Catharines will bring equal measures of experience and determination to carrying out that role.

I can share with you also that I will personally miss the advice and the support which Murray Elston has always so generously provided and which I have valued so highly.

I know that Murray's constituents in Bruce county are going to miss him, because Murray, whatever his responsibilities in government or in opposition, stayed very close to the constituents of Bruce county. He cared about them, he understood what mattered to them and he was always ready to voice their concerns. There is no doubt at all that through Murray Elston, the grass roots had a very real and a very direct influence on policy and direction in this place.

Fortunately, the people of Bruce are not going to lose Murray Elston. In his new job, which he has already begun, he will be kept closer to home, and I am sure we are going to continue to hear Murray speaking out on the issues that matter in Bruce county.

As the government House leader has said, Murray Elston has always had a very strong commitment to public service and to the importance of the work that we do here as elected representatives in serving the public. But you do pay a personal price to make your contribution in this business, and for Murray, without question, it was time away from family when the children were very young. So we wish him the joy of spending more time with his family now.

I know that Murray is not going to miss the three-hour-plus drive at least twice weekly to Bruce county. I was always impressed by the fact that it took Murray longer to get home to Bruce county than it takes me to get home to Thunder Bay.

We will miss Murray but we wish him well in what will be a challenging new role. I am confident that Murray will approach that new role with the same kind of competence, the same kind of commitment and the same kind of concern that he has always brought to his role in politics, and that is a guaranteed formula for success.

**Mr Ernie L. Eves (Parry Sound):** On a point of order, Mr Speaker: I thought you should be aware that I have today tabled a resolution and I have also ordered a request to the government House leader that the government table a motion.

In view of the fact that the Legislature of Ontario has not been in session since June 23, over four months, and in view of the fact that we'll be sitting for only one week before the constituency week, according to the parliamentary calendar, I have asked the government to reconsider its position.

Seeing as how we're only going to have five weeks in this session and we've already lost five weeks due to a unilateral decision of the government, surely they would now like to change their minds and table a motion, which I know everybody on this side of the House would support, to sit next week.

**The Speaker (Hon David Warner):** The honourable member for Parry Sound will know that he does not have a point of order.

#### CONSIDERATION OF BILL Pr51

**The Speaker (Hon David Warner):** I beg to inform the House that the Clerk has received a report from the commissioners of estate bills with respect to Bill Pr51, An Act respecting the City of Windsor and the Will of Edmund Anderson Cleary. Accordingly, pursuant to



standing order 86(e), the bill stands referred to the standing committee on regulations and private bills.

1430

## ORAL QUESTIONS

### PUBLIC SAFETY

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is for the Premier. Over the past months all of us have become increasingly alarmed about incidents of violence in our communities. It seems that every week, in fact lately it has seemed almost every day, we are confronted with a new incidence of violence.

It was less than two weeks ago that on the same day in two very different communities two shooting incidents occurred, one here in Toronto and one in Port Perry. Last night a man in Etobicoke was stabbed to death defending his girlfriend. This past weekend a 19-year-old woman who was pregnant with her second child was shot and killed outside an after-hours club in London. This was the second incidence of a shooting in an after-hours club in less than a month.

We all agree that there are no magic solutions to the growing concerns about the safety of our communities, but we all agree too that we have to do everything that we possibly can to prevent these kinds of horrendous crimes from occurring. I believe that controlling after-hours clubs is a place where we can start and I have called for a bill that would allow greater control over after-hours clubs to be brought forward and passed in this session of the Legislature.

I ask the Premier whether he will support my call to see such a bill passed in this session.

**Mr Charles Harnick (Willowdale):** Let's regulate what's already out there.

**Hon Bob Rae (Premier):** Let me say to the minister and to the member opposite that all of us share this concern. It's a concern that affects every citizen in the province. It's not confined to any one political party; it's not confined to any part of the province. I look forward to having an opportunity to see the bill which stands in the member's name.

I would say to the member that there is a lot of discussion with the municipalities as well as with the police on what additional enforcement powers are necessary, both with respect to municipal bylaws as well as with respect to various provincial statutes as well as federal Criminal Code matters, and I would hope that together the municipal, provincial and federal governments can come up with solutions.

The Solicitor General, the Attorney General, the Minister of Consumer and Commercial Relations and I as Premier are very concerned to make sure that there is adequate enforcement power where that enforcement power is required and expected. We have to recognize that there were certain changes made in the laws in the 1960s, 1970s and 1980s by various governments in this province and it may be the time for us to look hard at what additional powers are now necessary for municipalities as well as for the province, as well as for the federal government, to deal with this question of ensuring safety in our communities. I don't think it's inappropriate for us

to do so; I think it's quite appropriate for us to do so.

I can't give a blanket endorsement to the bill which stands in the name of the member for Fort William, but I will certainly have a look at it, ask our staffs to have a look at it, and consider, in cooperation with all the agencies involved, just what more we can do.

**Mrs McLeod:** I'm pleased to hear that the Premier is prepared at least to consider the type of bill which we've called for. I should indicate that the bill that has been put forward that is before the Legislature as a private member's bill is a bill that stands in the name of the member for Fort York, a member of your own caucus.

I would hope that the government, recognizing the seriousness of this issue—in fact, that there have been a number of specific incidents which have heightened concern about after-hours clubs—would have been looking at this particular bill, considering it and considering its implications. But I also would like to indicate to the Premier that as the incident this past weekend in London has demonstrated, this is not a Toronto-only problem and the bill that stands in the name of the member for Fort York is only looking at giving some greater responsibility to Metropolitan Toronto to deal with this issue.

I would ask the Premier, given his indication that he would like to work cooperatively to determine what can be done, if he would be prepared to move this bill into committee so that together we can look at what might be appropriate and possible in terms of giving municipalities across the province greater power to control after-hours clubs and that we can work with the municipalities to ensure that we can provide the kinds of tools that they need to deal with this very serious problem in their communities.

**Hon Mr Rae:** Of course I'm aware of the bill that stands in the name of my parliamentary assistant. It's a bill which is of great interest to us. I've discussed it with a number of municipal officials and even this morning I was discussing it with people to see the steps that could be taken. I don't want to fog the issue at all, but I just want to say to the honourable member I agree with her when she says this is not simply a Toronto issue.

The question of places which are illegal and which are operating illegally and which then become the centres for other kinds of trouble is an issue that we have to deal with and we have to make sure that those who are best equipped to deal with it, whether it's the municipalities, whether it's the police, whether it's the other agencies of government, we've got to take the steps to deal with it and to make sure that the enforcement power is there and that neighbourhoods and neighbours and innocent people can be protected.

I just say to the honourable member, it's something we are looking at. It's something we want to address in connection with a number of other things which need to be addressed. I can assure the honourable member that we believe very strongly that the people of this province have a right to live in safe neighbourhoods. They have a right to live in communities which are safe—

**The Speaker (Hon David Warner):** Could the



Premier conclude his reply, please.

**Hon Mr Rae:** —in which their children can walk home safely and in which they can live safely. That commitment to community safety is one which is shared, I know, by all the members of the House.

**Mrs McLeod:** I appreciate the fact that the Premier indicates he is not trying to fog the issue. I am equally not trying to deal with this issue with any kind of opposition rhetoric, but I do believe that it is an urgent issue and that it necessitates more action and fewer words. There is an action that can be taken. I'm concerned about how quickly the government is prepared to act.

I am, quite frankly, very well aware that although we were able to act jointly last spring in order to take what I believe is a constructive step in passing the ammunition control bill, it did take a month before we could get that bill into committee and it took two months to pass the bill itself.

Premier, we are only sitting for 20 days in this session. I believe this is a very positive and constructive next step. We're willing to work with you on it. I would ask for at least a commitment today that this issue, this bill, can be moved immediately into committee, that we can begin to work to ensure that a bill that will allow greater control over after-hours clubs can be passed this session.

**Hon Mr Rae:** Let me say that I would hope the House leaders could deal with this matter on an urgent basis this week with respect to the timing and consideration of the bill. The only thing I would say to the member is that I hope the scope of the bill is broad enough, in terms of the issues that are being raised, that in and of itself it will be sufficient. We're right now looking at it in terms of the steps that will be required to have that effect.

I want to repeat for the honourable member that, yes, the House leaders should deal with this on an urgent basis in terms of bringing this forward, if there is a consensus about dealing with the bill and having a discussion about it, but I want to emphasize to the honourable member that these are issues which the House should be prepared to consider. These are issues which all of us should be prepared to consider as we recognize the concern about public safety and about what's happening on the street, what's really taking place, the risks that we're asking many of our police officers to run in terms of the operation of some of these places.

**The Speaker:** Could the Premier conclude his response, please.

**Hon Mr Rae:** All these are things which are worthy of the highest consideration by every member of the House.

#### LONG-TERM CARE REFORM

**Mrs Lyn McLeod (Leader of the Opposition):** My question is for the Minister of Health. Minister of Health, for I think the last four years, we in this caucus have been calling on your government to bring forward legislation providing for reform of our long-term care system. There is no question that everybody agrees on the need for reform, but after weeks of hearings on Bill 173, which is your government's bill on long-term care re-

form, it has become clear that there is almost unanimous disagreement with the approach you're taking to reform.

The main problem people have with your bill is the very centralized, very bureaucratic approach to setting up agencies that you are forcing on the province's seniors and on others who need long-term care and support. This is a one-size-fits-all approach that will be absolutely devastating in its effect on community agencies that have a long history of providing these services in their communities. A lot of people are asking why your government is so determined to shut down these community agencies and replace them with an anonymous government bureaucracy.

I ask you why you feel it is necessary to drum out of business agencies like Saint Elizabeth's, the Red Cross, the Victorian Order of Nurses, Meals on Wheels, agencies that are backed by hundreds of committed volunteers and agencies which have provided care in their communities for years.

**Hon Ruth Grier (Minister of Health):** I'm glad to have an opportunity to address this question, because I know we're joined today by many people from agencies who have been serving the elderly and the disabled of this province extremely well for many, many years. I come to this responsibility with an enormous respect for those voluntary agencies and with the recognition that we have been blessed here in Ontario by a system that was a combination of voluntary agencies and government-provided services. But many of the people in those agencies have been in the forefront for a decade in advocating for a better system, for the creation of a system, because they know, because they meet the elderly—they serve these people daily—that in fact there are gaps in services, that there is fragmentation and that there has never been a government, until this one, prepared to put the money in place to make long-term care real.

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I regret that the Leader of the Opposition in her question perpetuates the myth that voluntary agencies, called multiservice agencies or whatever they end up being called in the different communities across this province, are somehow going to be government bureaucracies. These are voluntary agencies with a board elected by the people they serve in their communities and with a requirement that 30% of that board be consumers of services, something which her party opposes and which the third party opposes. How less bureaucratic can you get?

**Mrs McLeod:** It's hard for me to believe that this minister really understands what the impact of her own bill will be, and it is certainly clear that she is not hearing what people in communities across this province are saying about this bill.

Go and talk to the Red Cross, Minister. Hear what the Red Cross is saying about whether it can function under the bill that you're putting in place. They can't. They can't work with the bill that you're setting out.

Talk to volunteers. Talk to the volunteers I've talked to in every community I've visited this summer and they'll tell you that they volunteer for the Red Cross or



the Victorian Order of Nurses or Saint Elizabeth's because they identify with that. These MSAs, to those people, look like government and they feel like government and they're going to respond to them as if they were government and they will not volunteer, and your bill will destroy the services these agencies have provided for years.

There is nobody who disagrees with the need for coordination. The goal of long-term care reform is to coordinate service to provide it more effectively to people in our communities. But I happen to believe that you can have coordination without sacrificing the host of community service agencies that are providing service.

I am also absolutely convinced, by talking to people in those agencies across the province, that they are ready to work with you to provide the coordination and make sure they're offering services to people in the most cost-effective way. I think you can work with these people without destroying the organizations and I ask you—

**The Speaker:** Would the leader pose a question, please.

**Mrs McLeod:** —after four years of study, do you not believe it's possible to find a way to achieve coordination without simply gutting all of these organizations?

**Hon Mrs Grier:** I know that the Liberal Party supports coordination of services. That was the proposal they had made before the last election, for service-coordinating agencies appointed by the government.

We listened to the seniors and the disabled and said no, we agree with the people whose services are to be provided that what they want is a consumer-centred program where the consumers decide who shall deliver the services and where the consumers have a say in the services.

But it is the myth about the destruction of volunteers that troubles me most about the way in which the Leader of the Opposition has characterized this issue. Volunteers are the key to providing many services in communities around this province. Volunteers volunteer for hospitals. Are they non-bureaucratic organizations? Volunteers volunteer for sports organizations, for everything. Volunteers are doing the planning for long-term care, volunteers will be on the boards of long-term care and in fact one volunteer who wrote to me—and the member says we should listen to volunteers—says, "I've read in the newspapers that organizations like VON and Red Cross are predicting there will be a loss of volunteers once MSAs come into effect. Nothing could be further from the truth. In fact, volunteers in my community are advocating and willing a local MSA because that will provide better services." That's what volunteers are saying.

**Mrs McLeod:** What consumers in the province of Ontario want is a community-based approach to delivering care. They want the flexibility to be able to develop the models that work for them in their community. They do not want, they do not need this top-down, one-size-fits-all approach that your government is bringing in with this legislation. They will lose that flexibility and that choice under this bill.

Perhaps I can get the minister to focus on one specific concern, and that's the fact that there is surely no question that there is going to be dislocation and layoffs and disruption of services if this bill proceeds. You have already brought forward an amendment which says that if people are laid off or displaced by Bill 173, your government is prepared to pay for the severance packages. I believe that is an acknowledgement that the bill will cause layoffs and the dismantling of community organizations. You intend to replace these community organizations with what I believe to be a nameless and a faceless bureaucracy, and you are already planning for layoffs from the community organizations.

Can you just tell us why any government would pass a bill which already foresees the layoff of dedicated employees and which tells volunteers that they're no longer wanted, to boot?

**Hon Bob Rae (Premier):** What a terrible thing to say. What a terrible suggestion.

**The Speaker:** Order.

**Hon Mrs Grier:** The kind of fearmongering, the kind of scaremongering which the Leader of the Opposition has bought into is even more troubling than the distortion of what this reform is all about.

We are spending in this province now \$300 million more on community-based long-term care than we were in 1990. Does that mean layoffs? That means jobs. We have increased home care by 53%, integrated homemakers by 65%, home support services by 37% and attendant care programs by 36%; that, in tough times. For the Leader of the Opposition to say that that degree of spending involves layoffs shows that she does not know about what she's talking.

#### JOB CREATION

**Mr Michael D. Harris (Nipissing):** My question is to the Premier. Tonight, Premier—

*Interjections.*

**The Speaker (Hon David Warner):** Order. The leader of the third party.

**Mr Harris:** Premier, tonight perhaps you'll be heading out trick or treating with your kids. I know I will be out with my kids. I know you're a busy man, Premier, so I thought I'd help you with your trick-or-treat bags. I have trick-or-treat bags here for you.

In the trick bag, Premier, what we have is your best effort to create jobs: giving people their own tax dollars to create jobs that they were going to create anyway, a million and a half dollars—

**Mr Gordon Mills (Durham East):** On a point of order, Mr Speaker: I bring to your attention the rules and regulations that prohibit props to be had in this House to support—

*Interjections.*

**The Speaker:** There is nothing in the standing orders. We have always dissuaded members from using props in the House. I would ask that the honourable leader of the third party place his question and then, of course, remove the props.

**Mr Harris:** Here are all the tricks: trying to buy jobs



with taxpayer dollars, a million and a half dollars of advertising on a program that businesses tell us is an unmitigated failure, jobs they were going to create anyway. Anyone who wants it, free cash that you're giving out, trying to trick voters with all this money.

Premier, then in the treat bag what we have is a commonsense plan.

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*Interjections.*

**The Speaker:** Order. I'm the only one with a costume. The honourable leader of the third party with his question.

**Mr Harris:** What we have here is a \$4-billion tax cut to create jobs in this province. What I would like to ask you, Premier, is: Do you really believe that hiking taxes to give out taxpayer grants and money is still a better way to create jobs than cutting taxes is? Do you still honestly believe that?

**The Speaker:** Before the Premier responds, there's a point of order from the member for York East.

**Mr Gary Malkowski (York East):** My point of order, Mr Speaker: I think the Common Sense Revolution includes the laying off of disabled people, and that's hurting disabled people. That's not a treat; that's a trick.

**The Speaker:** That's not a point of order.

*Interjections.*

**Hon Bob Rae (Premier):** There are all sorts of jokes I could make about the member's intervention. I've never actually heard a pumpkin ask a question before. But I would say to the honourable member, with great respect, that if he's asking for a serious comparison between a proposition that he is singlehandedly going to cut taxes by \$4 billion, if that's the proposition, that's the biggest joke of all.

When you look at the reality of the economy today, there are now tens of thousands of people working today who are working as a result of a variety of approaches that have been taken, including Jobs Ontario Training. There are parents today who are going to be in a better position to spend time with their families and go out for Hallowe'en and who are going to be able to afford to buy candy for those kids that are coming to their door thanks to the fact that the economy is improving and that more jobs are being created every day.

I would think that sensible people out there, commonsense people out there—and anyone who claims that he has a monopoly on common sense, as the honourable member does, has in fact neither; he hasn't got a monopoly, and he hasn't got any common sense. That's the position the leader of the third party has now put himself in with his preposterous proposition. There's no government in Canada which is putting forward the kind of nonsensical proposal that's coming forward from the honourable member. We need a focus on jobs, not on gimmicks; not on gimmicks and not on goodies and not on treats and not on candies, not on something for nothing, which has been the position now of the Conservative Party.

So I can say to the honourable member, in all due seriousness—

**The Speaker:** Would the Premier conclude his reply, please.

**Hon Mr Rae:** —when I compare the record of this government with respect to job creation and look at the series of fanciful fantasies that are being put forward, in costume, by the leader of the third party, I much prefer the approach being taken by this—

*Interjections.*

**The Speaker:** Order.

**Mr Harris:** The Premier's quite right. Nobody has a monopoly on common sense. It's available for anybody to use and we're suggesting you start to use it, that's all: suggesting you start to use it.

Premier, the question dealt with whether government giving out cash or government cutting taxes created more jobs. Now let me quote from your budget of 1994.

In the spring budget, the Treasurer of Ontario told us that government spending to create jobs averaged about \$32,000 per job through what we call Bob's Ontario. Also in the budget, under "Cutting Taxes to Create Jobs," the minister told us his teeny little tax cut would create jobs at a cost of about \$16,000 a job. In other words, Premier, by the Minister of Finance's own numbers in his spring budget, by cutting taxes, he says you can create twice as many jobs as by hiking taxes or collecting those dollars and you running around the province giving it out.

I would ask you this, Premier: In light of that, why do you continue to advocate policies of giving out government money that business doesn't want, when even your Treasurer acknowledges that if you would cut taxes, you'd create two jobs for every one you're creating?

**Hon Mr Rae:** The honourable member is on record as saying that he would abolish Jobs Ontario. That's fine. Let him fill the SkyDome with the people who are now working as a result of Jobs Ontario. Let him talk to the 20,000-plus businesses that are involved in Jobs Ontario and let him tell them. I've had people come to me from all walks of life. There are women who are working who were not working before. There are people who are now—

*Interjections.*

**The Speaker:** Order.

**Hon Mr Rae:** —expanding their businesses who would not otherwise have done that, and yes, I'm delighted.

I'm delighted that the member has finally recognized that in our last budget the Treasurer did in fact give a holiday with respect to the employer health tax on new hires. I think that was a very good idea. I strongly supported that. I'm delighted with that approach and I can tell the honourable member we are going to continue with that approach, but not with the fanciful nonsense of 30% tax cuts, and 20% this cut and 90% that cut. Will you please get real? Will the member opposite get real and understand that these are decisions that have to be made in a balanced, sensible, careful way and not like some sort of Hallowe'en game, which is the game he's playing?

**Mr Harris:** According to the business community—



small business, large business, chamber of commerce, federal, Ontario, CFIB and your own Treasurer—not only could we fill one SkyDome, but we could fill two SkyDomes full of people working with a tax cut versus your silly giveaway programs.

Premier, the Canadian Federation of Independent Business, the Canadian Chamber of Commerce, the Ontario Chamber of Commerce, the Ontario division of the Canadian Manufacturers' Association all have passed resolutions asking you to stop giving out taxpayers' dollars. They don't want them. What they want instead is to cut taxes by the equivalent amount, and they're telling us they'll create twice as many jobs doing that.

Why, other than running around the province getting your little photo ops all across the province, actually reminding people how silly your proposals are, do you insist, against every job creator, every business large and small, with your nonsense of giving out taxpayers' dollars, on doing that instead of simply to stop spending our money and stop collecting those taxes?

**Hon Mr Rae:** I was at Queen's University on Friday. We've just opened a library, which is going to be a world-class library, with Jobs Ontario funding. I was at Chrysler where, together with Chrysler and the federal government, we are now sponsoring more research and development at the University of Windsor than ever before. We have people being hired across the province now.

1500

**Mr James J. Bradley (St Catharines):** Did Chrysler send back the cheque?

*Interjections.*

**Hon Mr Rae:** I know it's hard for the opposition. There are 157,000 more people working today than there were in February 1994. It's hard for the members of the opposition to come to terms with the fact that things are getting better.

I would say directly to the honourable member: I think there is a real difference between him and me.

*Interjections.*

**The Speaker:** Order, the member for York Mills.

**Hon Mr Rae:** The difference between the leader of the third party and me is that he's running to be the governor of the 51st state as the Republican candidate and I'm running to be the Premier of the province of Ontario.

**The Speaker:** New question, the honourable leader of the third party.

**Mr Harris:** The difference between you and me is that I'm fighting so we have enough prosperity and wealth and jobs and opportunities here that Ontario can be restored to its rightful place.

**The Speaker:** Would the leader place his second question, please.

**Mr Harris:** The other difference is that under our proposals we'd have 350,000 new jobs.

**The Speaker:** Would the member take his seat, please.

*Interjections.*

**The Speaker:** Would the member please take his seat. Is there a second leadoff question?

COURT RULING

**Mr Michael D. Harris (Nipissing):** My question is to the Premier. At the end of last month, the Supreme Court of Canada brought down a ruling that disturbed many Canadians and I think every Ontarian. They ruled that extreme drunkenness can be used as a defence against rape. Premier, I think most of us in this House were shocked and upset by that decision. Can you tell me what action you as Premier and your government have taken on behalf of all Ontarians to express our outrage at this decision and to take whatever action we can to make sure it doesn't happen again?

**Hon Bob Rae (Premier):** I'm going to refer this to the Attorney General.

**Hon Marion Boyd (Attorney General):** Indeed, I think people were very upset at the decision as it was reported in the press, and it's very important that members be aware that what we mostly heard in the press was the dissenting view of the minority of the court. It is important to read the whole ruling because the intention of the majority was clearly that this not be able to be used as the kind of precedent that people fear.

However, whatever the intention of the court, it's very clear to us, and very much a concern to the crown system in Ontario, that we may see that kind of defence coming forward in cases. The member is well aware that this government, as well as the previous governments, took a very strong stance that drunkenness ought not to be an excuse for criminal activity.

We are supporting the study that the federal Minister of Justice has undertaken to look at how this particular ruling may in fact change some of the very concerted efforts that have gone on to make people accept responsibility for their actions whether or not they have indulged in mood-altering drugs, including alcohol.

The minister is well aware that he has our full support, that in all of the discussions around what changes might be made in the Criminal Code and what changes might be made in guidelines to crown attorneys around the prosecution of cases where that defence is attempted to be used they will have our full cooperation and indeed our full commitment.

**Mr Harris:** So far we've supported the study; I understand that. One approach that has been advanced to counter the effects of this decision is to amend the Criminal Code to ensure that those who become voluntarily intoxicated are responsible for whatever actions they commit.

I support that move and I would like to ask you if you as Attorney General, on behalf of the government of Ontario, have expressed that support or if you support immediately amending the Criminal Code so that we don't have to wait for another decision, and if you have expressed that support to the federal government that we would facilitate, in any way that we possibly could, immediate passage of amendments to the Criminal Code so that this cannot even be hinted at being used as a defence. Have you done that, Minister?



**Hon Mrs Boyd:** We have indicated publicly and through officials to the Department of Justice that we support the Minister of Justice in looking at the implications of such changes to the Criminal Code. At this point in time, the federal minister has not brought forward amendments that we can look at so that we can study their effect and how effective they might be, but we have certainly indicated that we would be supportive of an effort to find the right solution to this.

I can assure the member that I'm on record many times as saying that those who voluntarily consume mood-altering drugs as an excuse for violent behaviour, as a way of letting go of their inhibitions, ought not to be sanctioned in that as an excuse for behaviour. That has been a very great focus of the actions that this government and previous governments in Ontario have taken. We fully support the fact that people must accept responsibility for their actions, including taking that first drink or imbibing that mood-altering drug.

**Mr Harris:** So far nothing's happening. We've seen so many cases where outrage has been expressed and concerns expressed and a study takes over and nothing happens. I believe, Minister, you would be expressing the will of 10 million Ontarians, I believe certainly you would be expressing the will of 130 members of the Legislature, even those who may not be in the Legislature today or those who aspire to be in the Legislature, if you would begin to publicly and vigorously pressure the federal government to immediately amend the Criminal Code before Christmas, as soon as possible, so that not one rape victim is denied justice as a result of the Supreme Court's decision. Will you do that? Because that is what I believe the people of Ontario want you to do.

**Hon Mrs Boyd:** I, along with the other attorneys general and the Minister of Justice, have a responsibility to ensure that every time there is a concern expressed, we are very clearly studying the effects of any change to the Criminal Code and whether or not that is going to be prosecutable. It does take some study. The member may like to wave his magic wand and make changes, but his government, when it was in power, didn't do that, any more than any other government. There are a number of considerations that have to be taken into account.

I have already indicated to the minister that I am supportive, and I am sure this Legislature is supportive, of the Department of Justice making every effort to ensure that if Criminal Code changes are required in order to prevent the effect he is saying, that is taken into account. But I would also caution the member that if he would read the full decision of the Supreme Court, he might have some question in his mind as to whether such a facile solution is in fact the answer to the concerns that all of us share.

#### ONTARIO BUS INDUSTRIES INC

**Mrs Lyn McLeod (Leader of the Opposition):** I have a question for the Minister of Economic Development and Trade on the government's operation of Ontario Bus Industries. I want, Minister, for you to tell us the following: How much money do Ontario taxpayers owe in total to all the OBI creditors as a result of your government's decision to take over the company? Specifi-

cally, can the minister tell us how much money is owed to tradespeople and to other creditors, how much money in deposits has at this point been returned to Ontario municipalities because of buses which have not been delivered, and how much money is owed to transit authorities in the United States cities in late delivery charges because buses have not been delivered on schedule?

**Hon Frances Lankin (Minister of Economic Development and Trade):** The member opposite will know that some of the numbers she has asked for are in fact subject to negotiations. With suppliers, for example, the outstanding amounts that are currently owed to suppliers will be taken into account as we gear production back up, and as we place further orders we will negotiate the repayment schedule with those suppliers. Certainly, the member does know that there is currently about \$66.5 million invested in loans. Those are interest-bearing loans, secured by assets of the company, that the province has invested in taking over OBI.

1510

May I say that I appreciate that the leader of the official opposition is showing concern with respect to this file. We as a government are concerned as well. This restructuring is a very long and difficult process. We are committed to working through this with the company in trying to resolve this situation. There are over 600 jobs directly in Mississauga that we are dedicated to trying to save, and certainly all of the spinoffs, hundreds of employees employed by the suppliers.

I want to assure you that we are looking at this carefully. OBI has a strong potential. It has a very strong order book. There are over 900 buses on order that, as we gear up production, we plan to deliver. It's a market leader, with 20% to 25% of the market share in North America, a proven product, innovative in terms of the low-floor bus—

**The Speaker:** Could the minister conclude her response, please.

**Hon Ms Lankin:** —clean environmentally in terms of compressed natural gas. It's an important and strategic firm with respect to Ontario, and I hope the member will be supportive of working through with us in trying to save this company.

**Mrs McLeod:** It has now been almost 11 months since the government took over this particular company, and took it over, clearly, without any plan for the management of the company. Our concern certainly is with the level of indebtedness that has been incurred over the past 11 months and it's with the continued financial risk that the government is taking with taxpayers' money.

I also have a concern that any attempt to avoid responsibility for debts that have been incurred will simply further erode confidence in Ontario Bus Industries' ability to continue its operations, and it could in fact threaten the existence of the dozens of supplier firms that are owed perhaps millions of dollars by OBI.

It's our understanding that there are indeed several hundred buses on back order to clients in the United States. These buses obviously have not been delivered,



and our understanding is that so far the late delivery charges on these buses total tens of millions of dollars. It's also our understanding that late delivery charges on the buses can range up to \$200 per day per bus. That's tens of thousands of dollars per day that Ontario taxpayers will have to pay because of this government's quickness to take over a company without a plan and without being able to provide a plan for management in the past 11 months.

I ask if the minister will confirm that these debts are indeed being incurred on a daily basis and to tell us quite frankly, will these buses be delivered, in what time frame, and at what cost?

**Hon Ms Lankin:** May I say first of all to the member opposite that when the Ontario government took over OBI in February of this year, it was as a result of the default of the previous owner with respect to a loan to the Ontario government, and in fact the owner at that point in time was unable to complete a recapitalization of the company. It was a company in transition from craft development of buses, craft assembly, to mass assembly, and that recapitalization and transformation didn't take place.

At that point in time, there was a huge debt owed to the suppliers. When we took it over, I negotiated and made arrangements with the suppliers to begin repayment. In fact they have done better as a result of the government taking over than they would have under the former situation when the company was facing bankruptcy at that point in time.

The order books are very strong, as I indicated. There are over 900 buses that are on order. Those are not all back orders. Those are ordered out into the upcoming years.

We are currently in a situation where we have brought in new leadership to undertake the financial restructuring that was necessary. We have uncovered problems in production. We have shut down production while at this point in time we are proceeding to address those problems. We've brought consultants in, and we are currently engaged in discussions with strategic partners who we believe will bring the production strength that will be needed to ramp up that operation again. I'm very hopeful that those discussions will be concluded in the very near future, in the next few days, and then I'll be able to report progress to the member at that time.

#### LONG-TERM CARE REFORM

**Mr Jim Wilson (Simcoe West):** Since the Minister of Health has today indicated and her cronies on the social development committee have indicated that they won't budge on Bill 173, my question is to the Premier, and I would ask if he's available at all for this question.

*Interjection.*

**Mr Jim Wilson:** In the absence of the Premier, I'll ask my question to the Minister of Health. Minister, the stated purposes of Bill 173, as you know, include ensuring that a wide range of community health and related services are available to people in their own homes, improving access to these services, improving the quality of these services, promoting the efficient management of

service delivery, and encouraging local involvement in the planning and delivery of these services.

I want to tell the minister for the record today, because she knows and she keeps misrepresenting this point, the PC Party in this House and in this province agrees with those stated purposes of the act. In fact, we worked very hard to strengthen the purpose clause during committee hearings last week.

However, Bill 173 in its present form ignores your own fundamental principles and the purposes stated in the first part of the bill, and the bill in its present form will ensure that the new multiservice agency model will wipe out organizations like the Red Cross, the VON, Saint Elizabeth visiting nurses, organizations that have been delivering long-term care services—

**The Speaker (Hon David Warner):** Would the member place his question, please.

**Mr Jim Wilson:** —in this province for close to a century, long before your government ever got its paws on long-term care—

**The Speaker:** Does the member have a question?

**Mr Jim Wilson:** —long before you were ever in existence. I ask the minister, what have you got against the Red Cross, the Victorian Order of Nurses, and Saint Elizabeth—

**The Speaker:** The member has placed his question. Would the member please take his seat.

*Interjection.*

**The Speaker:** Order. Would the member for Simcoe West please take his seat.

**Mr Gordon Mills (Durham East):** He's lost his Prozac.

**Hon Ruth Grier (Minister of Health):** Just one more reason why we have to protect the health care system in this province, so it will be there when the member needs it.

Let me say to him, as I've said already today, that what long-term care is about is the seniors and the disabled in this province, who have been served magnificently by voluntary organizations, but in a patchwork way. What we are doing and what seniors have called for is a reorganization of long-term care in a way that makes sure—

*Interjections.*

**Hon Mrs Grier:** —that no matter where you live in this province, you get the care you need to help you stay in your own home and in your own community, and that you get that care from a voluntary agency. The agencies you mention have been here in this province—

*Interjections.*

**The Speaker:** Would the minister please take her seat. Supplementary?

**Mr Cameron Jackson (Burlington South):** One of the major concerns being expressed by the several hundred people who are in the gallery today, many of them seniors and workers who provide support services to seniors, and several hundred who couldn't get into the chamber today, is that you are imposing one specific



model from the government of Ontario and trying to suggest that this somehow is going to respond to local decision-making concerns. The concerns they're expressing are that across this province there are several agencies that are doing an outstanding job: They're coordinated, they're providing cost-effective services, they've rationalized and they've cooperated within regional units. They're doing everything you say you want done within your legislation.

What we're saying is that the bill lacks flexibility. They, along with the Conservative Party, want to see section 13 amended, not so it's all of one approach or another, but that it's flexible for both approaches. We're asking you, Minister, will you not consider writing into the legislation, because we believe, such as in Simcoe county, for example, that to have the 80-20 rule imposed—100% of all the homemaker services are provided by the Red Cross in that community; by your own legislation, you'll wipe out 80% of the work they're currently doing. We're only pleading with you, Minister: Will you not accept a motion from the Tories that allows for that flexibility so that you can say, "I'll impose my model somewhere else"—

**The Speaker:** Would the member complete his question, please.

**Mr Jackson:** —but in Simcoe or in Halton, where there is that level of cooperation, you'll preserve those good elements of what's been done in long-term care in this province without throwing out with the bathwater an excellent program where it exists currently in this province? Will you not consider those amendments?

**Hon Mrs Grier:** I think it's important that I explain to the member yet again the history of this legislation. There was a proposal from the previous government—

*Interjection.*

**The Speaker:** Order.

**Hon Mrs Grier:** —for the kind of service coordination that he is suggesting, and as a result—

**Mr Jim Wilson:** The 80-20 wasn't in the history. You made that up. That's a socialist twist.

**The Speaker:** Would the minister take her seat, please.

*Interjection.*

**The Speaker:** The member for Simcoe West, please come to order.

**Mr Jim Wilson:** A point of order.

**The Speaker:** No. Will the member take his seat. His colleague the member for Burlington South posed a serious question. The minister should be allowed an opportunity to respond.

1520

**Hon Mrs Grier:** The member said there were several hundred people here today. I know there have been 50 or 60, and I hope, for those who are here, they understand the difficulty of having a constructive discussion around a piece of legislation that is critical to the seniors and the disabled of this province. The kind of distortion, the kind of misinformation and the kind of blinkers prevent the member opposite from recognizing that what we are talk-

ing about is a reorganization of the provision of care by communities for communities and for the seniors they serve in a way that is very clear, that the funding and the principles about the equity of services across this province are there and are part of the government's proposal.

But as part of the design of multiservice agencies, the election of the boards of those multiservice agencies, the determination of the ethnic, cultural, religious preferences of the groups that will be providing service, will differ from one end of this province to the other to serve the diversity and the needs of the people of this province.

#### SMALL BUSINESS

**Ms Margaret H. Harrington (Niagara Falls):** My question is for the Minister of Consumer and Commercial Relations. Some three years ago, the small business committee of this government, under the capable leadership of my colleague Norm Jamison, pursued a mandate to reduce the amount of red tape faced by small business across this province. More efficiencies were demanded. We insisted that the seven to 10 different ministries and bureaucracies work together on this.

Minister, last Wednesday I addressed the chamber of commerce in our city of Niagara Falls. Our business people want to know what the government is doing to help reduce this burden of paper and to eliminate the obstacles to starting a small business.

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** I have to say that the small business committee did a great job. We know that the business community for many years has been telling governments of all stripes that red tape is one of the major obstacles to business growth.

This government has listened. We now have introduced Clearing the Path for business access, and this is a plan to streamline and simplify the registration and reporting requirements of Ontario businesses. It's a very exciting project. We now have 15 business registration access workshops up across the province, and more to come. What it means, in just a few sentences, is that people can now go into a workstation, sit down in front of a computer, with somebody there to help them if they need help, and within a half-hour complete four forms, the most commonly used forms today. There are more, but the four most commonly used ones can be completed on a computer within a half-hour. That's just the beginning of this program.

**Ms Harrington:** The businesses in Niagara Falls are very concerned about the excess cost of the paper burden—that's in time, in effort and in money—of their staff. What can we expect in the way of more efficiencies over the next year? What is going to be done?

**Hon Ms Churley:** There is a station in St Catharines existing right now which the member might want to know about. The expansion of this program will bring, by the spring of 1995, more workstations in communities across Ontario.

We are also working with the federal government to adopt the single business registration number, and that will apply to Ontario businesses to identify businesses at both the provincial and federal levels.



Also, by 1995 we'll be moving to a complete electronic registration process and introducing unified reporting. This is an incredible step forward for businesses. These services will eliminate paper and will allow businesses to remit all their taxes at once.

Over time, this government, having started the process now, has put in place an incredible system to start, finally, after years of protest by small business, the process to really streamline the process in Ontario.

#### JOBS ONTARIO

**Mr Tim Murphy (St George-St David):** I have a question for the Minister of Education and Training. Minister, your government has spent hundreds of thousands of dollars, indeed millions, on TV and print ads extolling the alleged virtues of Jobs Ontario, trying to induce employers to hire people based on a wage subsidy. But I think that promise is a sham. We've heard reports from many employers who have been unable to penetrate the bureaucratic muck at Jobs Ontario Training to get their money.

In my riding, I've received many complaints. In fact, the most recent one involved a company which had to wait 18 months to get paid for people it hired in April 1993. In fact, the delay was so long it wrote off the expense as a bad debt. The money only got paid when a collection agency consultant got involved, but the price was 50% of the money that Jobs Ontario was supposed to pay to employees. Instead, it went to a consultant.

Minister, I want you to explain why an employer should have to hire a collection agency to get money from the administrative abyss at Jobs Ontario Training; how you can justify a delay of this length in getting that money, which is an experience many employers have had to face; and I want to know what your policy is relating to spending money in this way, whether it's appropriate that Jobs Ontario money be siphoned off by a consultant instead of going to employees.

**Hon David S. Cooke (Minister of Education and Training):** We can't deal with a complaint that has been raised by a member when he puts out a press release, refuses to name the company, refuses to give any details about the company that's involved. If you're interested in a particular problem that's been raised with one company, then come clean and come and talk to us and show us the name of the company and we'll take a look at it. But don't play politics with a program that is working by getting thousands of people off social assistance and into the workplace. The game you played last Friday was absolutely ridiculous. You're not interested in trying to point out any areas where the program can be improved. You're simply interested in playing politics, and as far as I'm concerned, that's despicable when it comes to this program that's helping thousands of people.

**Mr Murphy:** That minister should be embarrassed. I've given him the name of the consultant, who owns it, who's operating it. I in fact was asked not to reveal the name of the company that was involved in it, because they were afraid of the backlash from the people involved in your program. Eighteen months they spent, and they couldn't get a penny from you. Finally, because it's such a sham, someone who had access to inside information

from your bureaucrats was the one who got them the money, and that's why. The police have been phoned about this, and I'm more than happy to talk to that employer to see if they're prepared to talk to you, but frankly they have been afraid to do so because of the sham that's involved in your program.

**The Speaker (Hon David Warner):** Could the member place a question, please.

**Mr Murphy:** I'll be glad to place a question, Mr Speaker, as soon as I get an answer from this minister to the first question. So I'll repeat it: What is his policy? Is it his policy to permit 50% of the Jobs Ontario money, in a particular situation, to be siphoned off by a consultant, or not? I want to hear the answer.

**Hon Mr Cooke:** Well, I don't know that that's even taken place, because the member has presented no information, nothing to back it up at all, no facts at all, and based on the kind of research you've done in the past, why should I believe you this time? If you want an investigation, if you want a policy, then give us the name of the company. But don't play these kinds of silly, stupid games.

1530

#### PETITIONS

##### LONG-TERM CARE REFORM

**Mr Hugh O'Neil (Quinte):** My petition deals with some of the people who were here today petitioning the government concerning Bill 173, and it comes from many of those concerned in the Quinte area with this particular bill. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario government has given second reading to Bill 173, An Act respecting Long-Term Care, and clause-by-clause consideration of the bill;

"Whereas seniors and the disabled are entitled to accessible community-based care;

"Whereas we do not believe that Bill 173 will provide more cost-effective and accessible care;

"Whereas we, the undersigned, believe the government of Ontario must recognize the value of the work of volunteers in this province;

"We, the undersigned, petition the Legislature of Ontario to ensure that amendments are made to Bill 173 to allow for provision of community care based on the needs of the local communities in Ontario and acknowledge the role of volunteers in the delivery of care."

**The Speaker (Hon David Warner):** Stop the clock, please. I neglected to call for motions, so we must revert, according to our standing orders, to motions. The Chair's mistake. Are there motions?

**Hon Brian A. Charlton (Government House Leader):** I have three motions that I believe we should attempt to deal with today.

#### MOTIONS

##### COMMITTEE SUBSTITUTIONS

**Hon Brian A. Charlton (Government House Leader):** The first motion deals with all three caucuses, with changes to committees' makeup, members replacing members on committees.



I move that the following substitutions be made to the membership of the standing committees:

On the standing committee on estimates, Mr Bradley for Mr Elston.

On the standing committee on finance and economic affairs, Mr Abel for Ms Mathysen.

On the standing committee on general government, Mr Hope for Mr Mills.

On the standing committee on government agencies, Mr Crozier for Mr Bradley and Ms Gigantes for Mr Ferguson.

On the standing committee on the Legislative Assembly, Mr Rizzo for Ms Mathysen.

On the standing committee on public accounts, Ms Martel for Mr Owens.

On the standing committee on resources development, Ms Martel for Mr Huget and Mr Mills for Mr Ferguson.

On the standing committee on social development, Ms Gigantes for Mr Hope and Mr Jamison for Mr Owens.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

#### WITHDRAWAL OF BILLS

**Hon Brian A. Charlton (Government House Leader):** I move that the orders for second reading of Bill 55, An Act to amend the Human Rights Code; second reading of Bill 67, An Act to require the Minister of Environment and Energy to direct an Investigation into the deleterious human health effects of exposure to Radon in indoor air; second reading of Bill 112, An Act to amend the Assessment Act with respect to golf courses; and for committee of the whole House on Bill 126, An Act respecting Water Extraction Agreements, be discharged and the bills be withdrawn. These are bills that were submitted in the names of members, whose names you read earlier, who have resigned from this place.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

#### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Brian A. Charlton (Government House Leader):** This is the last one. I move that notwithstanding standing order 96(h), the requirement for notice be waived with respect to ballot items 67, 68, 69 and 70.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

#### PETITIONS

(continued)

**The Speaker (Hon David Warner):** We resume with petitions and it's the member for Burlington South.

#### LONG-TERM CARE REFORM

**Mr Cameron Jackson (Burlington South):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Ontario government has given second reading to Bill 173, An Act respecting Long-Term Care, and clause-by-clause consideration of said bill;

"Whereas seniors and the disabled are entitled to accessible community-based care;

"Whereas we do not believe that Bill 173 will provide more cost-effective and accessible care;

"Whereas we, the undersigned, believe the government of Ontario must recognize and value the work of volunteers in this province;

"We, the undersigned, petition the Legislature of Ontario to ensure that amendments are made to allow Bill 173 to allow for provision of community care based on the needs of the local communities in Ontario and acknowledge the role of volunteers in the delivery of that care."

I have several hundreds of these signed petitions, including names of Mae Radford from Burlington, Margaret Warriner, Linda Sutton, Barb Henderson. There's a whole host of Burlingtonians who have expressed concern. I have signed it and it has my support as well.

#### SICKLE CELL ANAEMIA

**Mr Robert Frankford (Scarborough East):** I have a petition to the Legislative Assembly of Ontario:

"Whereas sickle cell anaemia is a serious medical condition with 10% of the population of African origin carrying the gene;

"Controlled studies show a significant reduction in the number of childhood deaths by long-term treatment with penicillin to such a degree that it must be considered an essential drug;

"We, the undersigned, call upon the Ministry of Health to implement routine newborn testing for the disease and to make penicillin available without charge to all affected children."

I have appended my signature to this.

#### LONG-TERM CARE REFORM

**Mr Robert V. Callahan (Brampton South):** I have a petition signed by a number of people from my riding and around my riding. It's addressed to the Legislative Assembly of Ontario:

"We, the undersigned, are concerned that Bill 173, if unamended, will mean less service, more costly service, a decrease in volunteers and the inability of local communities to ensure the long-term care system meets their needs."

I've signed this petition as well.

**Mr Bill Murdoch (Grey-Owen Sound):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Ontario government has given second reading to Bill 173, An Act respecting Long-Term Care, and clause-by-clause consideration of the bill;

"Whereas seniors and the disabled are entitled to accessible community-based care;

"Whereas we do not believe that Bill 173 will provide more cost-efficient and accessible care;

"Whereas we, the undersigned, believe the government of Ontario must recognize and value the work of volunteers in this province;

"We, the undersigned, petition the Legislature of Ontario to ensure that amendments are made to Bill 173 to allow for provision of community care based on the needs of the local communities in Ontario and acknowledge the role of volunteers in the delivery of care."

I have also signed this.



## HAEMODIALYSIS

**Mr Randy R. Hope (Chatham-Kent):** I have a number of copies of a petition to begin, and there are going to be over 23,000 signatures that I'll be presenting to the House. It's addressed to the Legislative Assembly of Ontario.

"We, the undersigned, petition the provincial government for a haemodialysis unit to be placed in one of Chatham's hospitals for the use of Chatham-Kent kidney dialysis patients. This will enable these patients to have treatment in the city of Chatham instead of travelling to London three times a week."

It's signed by a number of people from the city of Chatham, from Florence and places throughout Kent county such as Bothwell, Dresden, Ridgetown, Highgate and Dover Centre. Again, this is the beginning of over 20,000 that will be brought forward to this Legislature for consideration.

## LADY EVELYN-SMOOTHWATER PROVINCIAL PARK

**Mr David Ramsay (Timiskaming):** I have a petition here signed by 1,139 constituents in the riding of Timiskaming. It says:

"To the Legislative Assembly of Ontario:

"Whereas the comprehensive planning committee is developing a park plan for Lady Evelyn-Smoothwater designated wilderness park and land management plan for surrounding area;

"Whereas there has not been a social or economic impact study carried out that would explain the impact on the surrounding area's economy;

"Whereas there are concerns for safety and security of users of such a proposed massive wilderness park system;

"Whereas the draft date of January 1995 does not leave time to complete such studies;

"We, the undersigned, petition the Legislative Assembly of Ontario to require the Ministry of Natural Resources and the comprehensive planning committee to develop both an economic and social impact study and a plan that would ensure the safety of park users. Therefore, an extension of the draft date of January 1995 is required."

I have affixed my signature to this.

## AMALGAMATION OF HOSPITALS

**Mr Leo Jordan (Lanark-Renfrew):** "To the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the board of directors of the Great War Memorial Hospital of Perth and District and the board of directors of the Smiths Falls Community Hospital have agreed to merge operations; and

"Whereas this merger is progressing in various stages without the final approval by the Minister of Health; and

"Whereas the health and safety of the community is at risk by certain departments being periodically closed;

"We, the undersigned residents of our community, urge the government of Ontario to investigate this matter immediately and direct the boards of directors of both

hospitals to abide by all provisions of the Public Hospitals Act and include all stakeholders in a cooperative manner."

This petition was signed by 99 constituents, and I affix my signature.

1540

## LAP DANCING

**Mr Kimble Sutherland (Oxford):** I have a petition today with 817 names on it. It is a petition addressed to the Legislative Assembly of Ontario, and rather than reading out all the words of it, I'll just summarize it. Basically it is a petition that is opposing the court decision of Judge Hachborn in the crown versus Mara and East, which is the decision that legalizes lap dancing.

This petition was presented to me by Councillor Pauline Brown, who is a member of the Woodstock city council and a member of the congregation at Chalmers United Church. Most of the signatures on the petition are either members of the congregation or friends of that church or of two other churches, First Baptist and Calvary Pentecostal Church in Woodstock in my riding of Oxford.

## LONG-TERM CARE REFORM

**Mr James J. Bradley (St Catharines):** This petition is addressed to the Honourable Bob Rae, Premier of Ontario, and the Honourable Ruth Grier, Minister of Health, the province of Ontario.

"We, the undersigned, are concerned that Bill 173, if unamended, will mean less service, more costly service, a decrease in volunteers and the inability of local communities to ensure the long-term care system meets their needs."

This is signed by a large number of people who reside in the Niagara Peninsula.

**Mr Jim Wilson (Simcoe West):** I've a petition addressed to the Legislative Assembly of Ontario.

"Whereas the Ontario government has given second reading to Bill 173, An Act respecting Long-Term Care, and clause-by-clause consideration of the bill;

"Whereas seniors and the disabled are entitled to accessible community-based care;

"Whereas we do not believe that Bill 173 will provide more cost-effective and accessible care;

"Whereas we, the undersigned, believe the Ontario government must recognize the value of the work of volunteers in this province;

"We, the undersigned, petition the Legislative Assembly of Ontario to ensure that amendments are made to Bill 173 to allow for provision of community care based on the needs of the local communities in Ontario and acknowledge the role of volunteers in the delivery of care."

I agree with the petition and have signed it.

## HEALTH INSURANCE

**Mr Robert Frankford (Scarborough East):** This is a petition to the Legislative Assembly of Ontario:

"Whereas comprehensive health insurance is essential to everyone and the inability of temporary residents,



including students and academics, to obtain adequate, affordable insurance is causing hardship and will deter others from entering Ontario's universities, and exclusions by insurers for pregnancy, HIV, psychiatric disorders and other serious conditions are unacceptable;

"We, the undersigned, call on the government to make OHIP coverage available to all temporary residents on payment of a reasonable premium."

#### LONG-TERM CARE REFORM

**Mr Charles Beer (York-Mackenzie):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Ontario government has given second reading to Bill 173, An Act respecting Long-Term Care, and clause-by-clause consideration of the bill;

"Whereas seniors and the disabled are entitled to accessible community-based care;

"Whereas we do not believe that Bill 173 will provide more cost-effective and accessible care;

"Whereas we, the undersigned, believe the government of Ontario must recognize the value of the work of volunteers in this province;

"We, the undersigned, petition the Legislature of Ontario to ensure that amendments are made to Bill 173 to allow for provision of community care based on the needs of the local communities in Ontario and acknowledge the role of volunteers in the delivery of care."

This petition is signed by a number of residents of the region of York.

#### GAMING REGISTRATION

**Mr Allan K. McLean (Simcoe East):** My petition is directed to the Premier and to the Honourable Marilyn Churley. It says:

"We, the undersigned, respectfully protest the intention of the registrar under the Gaming Services Act, 1992, c 24, who has given notice that she intends not to renew the registration of Raymond Shilling, resident of the city of Orillia, as a gaming assistant under the act and who has thereby stripped him of his employment and only source of income;

"We respectfully submit that the might of the Ontario government should not be arbitrarily used to deprive a private citizen of his or her livelihood;

"Furthermore, we protest any added burden which the registrar's decision may consequently place on the social assistance of the region of Simcoe and the taxpayers thereof in order to compensate for Mr Shilling's loss of income.

"We therefore petition the Honourable the Premier of Ontario and the Honourable Minister of Consumer and Commercial Relations to prevail upon the said registrar in the strongest possible manner to continue the registration of Mr Shilling so that he might return to his role in the community as a contributing and gainfully employed person."

That's signed by approximately 300 people, and I've added my name to it.

#### LONG-TERM CARE REFORM

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** I have a petition sponsored by the Victorian

Order of Nurses, Hastings-Northumberland-Prince Edward branch, signed by a number of people from Trenton, and the petition reads as follows:

"We, the undersigned, are concerned that Bill 173, if unamended, will result in less service, more costly service, a decreased number in volunteers and less flexibility for communities to develop a model that works for them."

It's signed by many people from Trenton.

**Mrs Barbara Sullivan (Halton Centre):** I have a petition which reads as follows:

"We, the undersigned, are concerned that Bill 173, if unamended, will mean less service, more costly service, a decrease in volunteers and the inability of local communities to ensure the long-term care system meets their needs.

"Please build on the current strengths of the system and don't eliminate organizations like VON and Red Cross."

This petition comes from people in Burlington, Oakville, Mississauga, Brampton, Hamilton and Toronto. I agree with it completely and I have affixed my name to it and I heartily recommend the sentiments that are contained in it.

**Mr David Johnson (Don Mills):** I have a petition:

"Whereas the Ontario government has given second reading to Bill 173, An Act respecting Long-Term Care, and clause-by-clause consideration of the bill;

"Whereas seniors and the disabled are entitled to accessible community-based care;

"Whereas we do not believe that Bill 173 will provide more cost-effective and accessible care;

"Whereas we, the undersigned, believe the government of Ontario must recognize and value the work of volunteers in this province;

"We, the undersigned, petition the Legislature of Ontario to ensure that amendments are made to Bill 173 to allow for provision of community care based on the needs of local communities in Ontario and acknowledge the role of volunteers in the delivery of care."

Signed by a number of residents of the province of Ontario, and I affix my signature.

#### MOTORCYCLE AND SNOWMOBILE INSURANCE

**Mr Randy R. Hope (Chatham-Kent):** I have a petition which is addressed to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, are of the opinion that private insurance companies are exploiting Ontario motorcyclists and snowmobile operators by charging excessive rates for coverage or by outright refusing to provide coverage;

"Whereas we, the undersigned, understand that those insurance companies that do specialize in motorcycle insurance will only insure riders with four or more years of riding experience and are outright refusing to insure riders who drive certain models called 'supersport' bikes; and

"Whereas we, the undersigned, believe that this

situation will cost hundreds of jobs at dealerships in the motorcycle industry and is contrary to the rights of the motorcyclists and snowmobile operators,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario government should study the feasibility of launching a public motorcycle and snowmobile insurance program."

I affix my signature to this petition.

1550

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Pursuant to the order of the House of Thursday, June 23, 1994, Mr Beer from the standing committee on social development presented the committee's report on Children at Risk / Les enfants à risque and moved the adoption of its recommendations.

**The Deputy Speaker (Mr Gilles E. Morin):** Do you wish to make any statement?

**Mr Charles Beer (York-Mackenzie):** Just briefly, I wish to commend all the groups who work in this province with children who came before the committee and the members for coming up with the unanimous report. We hope very much that the actions we have set out will be accepted by the House for action.

**The Deputy Speaker:** Mr Beer moves the adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

##### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Pursuant to the order of the House of Thursday, June 23, 1994, Mr Hansen from the standing committee on the Legislative Assembly presented the committee's Report regarding Allegations of Breach of the Premier's Conflict-of-Interest Guidelines Made Against Evelyn Gigantes, MPP and Minister of Housing / Rapport sur les allégations d'infraction aux consignes sur les conflits d'intérêt du premier ministre faites à l'encontre d'Evelyn Gigantes, députée et ministre du Logement.

**The Deputy Speaker (Mr Gilles E. Morin):** Do you wish to make a brief statement?

**Mr Ron Hansen (Lincoln):** Yes, Mr Speaker. Being the Chair of a very difficult situation that we had to go through and with the long hours that the committee met, from early morning till after midnight many days, I'd like to thank the members: Mr Bob Callahan, Mr Bob Chiar-elli, Mr Charles Harnick, Mr Paul Johnson, Mr Rosario Marchese, Mrs Margaret Marland, Mrs Irene Mathysen, Mr Tim Murphy, Mr Steve Owens, Mr Kimble Sutherland and Mr David Winner. It was a pleasure to work with these members on the committee findings of the standing committee on the Legislative Assembly.

I'd like to move adjournment of the debate.

**The Deputy Speaker:** You don't have to move any adjournment on the debate.

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

Pursuant to the order of the House of Thursday, June

23, 1994, Mr McLean from the standing committee on government agencies presented the committee's 20th report and moved the adoption of its recommendations.

**The Deputy Speaker (Mr Gilles E. Morin):** Do you wish to make a brief statement, Mr McLean?

**Mr Allan K. McLean (Simcoe East):** I have no statement to make, Mr Speaker.

**The Deputy Speaker:** Could you move the adjournment of the debate?

**Mr McLean:** I move that the committee rise and report.

**The Deputy Speaker:** Mr McLean moves the adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

Mr McLean from the standing committee on government agencies presented the committee's 24th through 29th reports.

**The Deputy Speaker:** Do you wish to make a brief statement?

**Mr McLean:** I have no statement to make, Mr Speaker.

**The Deputy Speaker:** Pursuant to standing order 106(g)(11), the reports are deemed to be adopted by the House.

##### STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr Cordiano from the standing committee on public accounts presented the committee's report on special education and moved the adoption of its recommendations.

**The Deputy Speaker (Mr Gilles E. Morin):** Do you wish to make a brief statement, the member for Lawrence?

**Mr Joseph Cordiano (Lawrence):** The recommendations contained in the report stem from the auditor's findings in his report. A number of recommendations are made resulting from our deliberations which I'm sure will be followed up.

I move adjournment of the debate.

**The Deputy Speaker:** Mr Cordiano moves the adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

Mr Cordiano from the standing committee on public accounts presented the committee's report on institutional services and moved the adoption of its recommendations.

**The Deputy Speaker:** Do you wish to make a brief statement?

**Mr Cordiano:** Once again, this is a report stemming from the auditor's annual report and a number of recommendations are made therein.

I move adjournment of the debate.

**The Deputy Speaker:** Mr Cordiano moves the adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

Mr Cordiano from the standing committee on public accounts presented the committee's report on the child and family intervention program and young offender services and moved the adoption of its recommendations.



**The Deputy Speaker:** Do you wish to make a brief statement?

**Mr Cordiano:** The member for Brampton South will make a statement.

**Mr Robert V. Callahan (Brampton South):** I ask for unanimous consent to make a statement.

**The Deputy Speaker:** Did you move the adjournment of the debate?

**Mr Cordiano:** I move the adjournment of the debate.

**The Deputy Speaker:** Mr Cordiano moves the adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

Pursuant to the order of the House of June 23, 1994, Mr Cordiano from the standing committee on public accounts presented the committee's report on curriculum development and moved the adoption of its recommendations.

**The Deputy Speaker:** Do you wish to make a brief statement?

**Mr Cordiano:** This is a report on curriculum on which the committee made a number of recommendations also stemming from the auditor's report and his annual findings. I'm sure many of the recommendations contained therein will be viewed with great receptivity by the ministry.

I move adjournment of the debate.

**The Deputy Speaker:** Mr Cordiano moves the adjournment of the debate. Is it the pleasure of the House that the motion carry?

Carried.

#### INTRODUCTION OF BILLS COMMUNITY NETWORK OF CHILD CARE PROGRAMS (WILLOWDALE) ACT, 1994

Mrs Caplan moved first reading of the following bill:  
Bill Pr133, An Act to revive Community Network of Child Care Programs (Willowdale).

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

#### YORK ST. PETER'S EVANGELISTIC ORGANIZATION ACT, 1994

Mrs Caplan moved first reading of the following bill:  
Bill Pr121, An Act to revive York St. Peter's Evangelistic Organization.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

#### PEACE BRIDGE AREA UNITED FUND INC. ACT, 1994

Mr Hansen moved first reading of the following bill:  
Bill Pr136, An Act to revive Peace Bridge Area United Fund Inc.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

#### BRAMPTON BRAMALEA CHRISTIAN FELLOWSHIP ACT, 1994

Mr Callahan moved first reading of the following bill:  
Bill Pr130, An Act to revive Brampton Bramalea Christian Fellowship.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

1600

#### FRANCHISES ACT, 1994 LOI DE 1994 SUR LES FRANCHISES

Mr Wiseman moved first reading of the following bill:

Bill 182, An Act to regulate Franchise Agreements / Projet de loi 182, Loi visant à réglementer les contrats de franchise.

*Interruption.*

**The Deputy Speaker (Mr Gilles E. Morin):** Perhaps the members in the gallery are not aware, but you are not allowed to applaud.

Is it the pleasure of the House that the motion carry? Carried.

Do you wish to make a brief statement?

**Mr Jim Wiseman (Durham West):** Yes, I would. This issue has been festering in the province of Ontario for far too long. There are numbers of families caught in these franchise agreements that have been denied their democratic rights under the Charter of Rights and Freedoms. They have no recourse to dispute mechanisms, they have no standards of conduct within the contracts in which they find themselves. This business needs to be regulated in the province of Ontario and it's high time that this be done. I'd like to thank John Sotos and I'd like to thank Margaret MacKinnon of legislative counsel. I would also ask unanimous consent of this House to move to second reading.

**The Deputy Speaker:** Is there unanimous consent to move to second reading? Is it no? I didn't hear a yes, so therefore there is no unanimous agreement.

#### MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT (STREET VENDING), 1994

#### LOI DE 1994 MODIFIANT LA LOI SUR LA MUNICIPALITÉ DE LA COMMUNAUTÉ URBAINE DE TORONTO (VENTE DANS LA RUE)

Mrs Caplan moved first reading of the following bill:

Bill 183, An Act to amend the Municipality of Metropolitan Toronto Act / Projet de loi 183, Loi modifiant la Loi sur la municipalité de la communauté urbaine de Toronto.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

Do you wish to make a brief statement?

**Mrs Elinor Caplan (Oriole):** Yes, thank you very much, Mr Speaker. The Metropolitan Toronto council and councils in each of the municipalities are given the power under this amendment to the Municipality of Metropolitan Toronto Act to pass bylaws to regulate street vendors as well as including the establishment of a permit system. At the present time, only the city of Toronto has clearly defined authority over street vendors. That's provided

through the City of Toronto Act, and that was initiated through a private member's bill; I would just point that out to the Legislature.

As we debated this at the beginning of December, this was brought to my attention by a member of Metro council. The concern is that there has been a proliferation throughout Metropolitan Toronto and no one at the local level has the authority or the responsibility to act.

#### ORDERS OF THE DAY

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** The 32nd order, An Act to amend the Statutes of Ontario with respect to the provision of services to the public, the administration of government programs and the management of government resources; Ms Boyd.

**The Deputy Speaker (Mr Gilles E. Morin):** The Attorney General.

**Mr David Tilson (Dufferin-Peel):** Mr Speaker, I would like to rise on a point of order concerning this bill that's just been called, Bill 175, which is formally entitled An Act to amend the Statutes of Ontario with respect to the provision of services to the public, the administration of government programs and the management of government resources. My concern is with the form of Bill 175. I feel that this bill goes beyond the generally accepted form of legislation and is using an omnibus format that is inconsistent with the practice of omnibus bills.

Omnibus bills are generally accepted to be bills that demand a decision on a number of quite different, although related, subjects. Bill 175 consists of 148 pages. It makes changes to over 100 statutes that fall under the jurisdiction of 14 separate ministries. Amendments range from automating the land registry office to allowing alcoholic beverages to be sold in provincial parks, to harmonizing federal and provincial food grading systems, to allowing individuals to pay for driver's licences, permits and plates by credit card and to banning the use of leg traps in the wild fur industry; and the list goes on.

The essential element of an omnibus bill is that although it may seek to amend many separate statutes, it has one purpose that ties together all the proposed amendments and therefore renders the bill intelligibly for parliamentary purposes.

I feel that Bill 175 fails to meet this test. The changes proposed in the 148 pages of Bill 175 do not have a common theme or purpose; the range and scope of the material covered in this bill are not related in any meaningful way.

In addition, I feel that my privilege as a member has been breached because I have been impeded in doing my job as a member of the Legislative Assembly. Specifically, an omnibus bill of this scope does not allow me enough time to debate the merits of the various Ministry of the Environment proposals as the Progressive Conservative caucus critic for the Environment.

The standing order changes that were introduced in 1991 prohibit members of the Legislative Assembly from speaking for more than 30 minutes unless they are the first speaker for a party.

Bill 175 was introduced by the Attorney General. Therefore, our lead speaker will be the Progressive Conservative caucus critic for the Attorney General. All other members, including the critics for the 13 other ministries, will be limited to only 30 minutes; all other members will have 30 minutes to deal with 148 pages.

The omnibus format of this bill does not provide me with the same opportunity to debate the various provisions that would have been presented if the government had introduced 14 different pieces of legislation for each of the 14 ministries that are included in Bill 175. The parliamentary implications of dealing with a bill of the kind before us are very serious both for the orderly consideration of the bill itself and for future legislative procedure on similar bills.

In making your ruling on my point of order, Mr Speaker, I would like you to consider the ruling of Speaker Lamoureux of the federal House of Commons on July 26, 1971, in which he said, with respect to omnibus bills: "Where do we stop? Where is the point of no return? The honourable member for Winnipeg North Centre, and I believe the honourable member for Edmonton West, said that we might reach the point where we would have only one bill, a bill at the start of the session for the improvement of the quality of life in Canada, which would include every single proposed piece of legislation for the session. That would be Omnibus with a capital O and a capital B, but would it be acceptable legislation? There must be a point where we go beyond what is acceptable from a strictly parliamentary standpoint."

I must indicate that Speaker Lamoureux went on to rule that the point of unacceptability in that particular application had not been reached. However, his compelling words with respect to omnibus bills indicate that other Speakers, including yourself, have a responsibility to rule on whether the point that he speaks of has been reached or has even been crossed. I submit that Bill 175 has gone beyond the point of being an acceptable omnibus bill.

Finally, Mr Speaker, I would draw to your attention the sixth edition of Beauchesne's Parliamentary Rules and Forms that states, "Speakers have expressed deep concern over the use of omnibus bills."

Mr Speaker, I thank you for listening to my comments, but I would ask for your ruling on the acceptability of Bill 175 before this debate begins.

1610

**Hon Brian A. Charlton (Government House Leader):** On the point of order which the member has raised regarding Bill 175, first, Mr Speaker, you will know that this is not the first time we've had this discussion here in the Legislature. Second, you will know that in the process of drafting this government piece of legislation which is before the House and which has been before the House since June of this year, the government goes through extensive consultation with the Speaker, the table officers and legislative counsel with regard to the very questions the member opposite has raised.

I suppose it would be fair to say, although he didn't



quote the federal Speaker at length, that judging from the quotes he did use and the assumptions he added into those quotes about creating one bill to represent a government's entire legislative program, the member's complaint might have somewhat more form.

The member opposite will note, however, Mr Speaker—and I think you're well aware because you've been involved in trying to maintain the business operation of this Legislature on a fairly daily basis over the course of the last four years—that a bill like 175 was an attempt on the government's part, and I admit that, to put together a significant number of items which are non-controversial, housekeeping in nature.

You will recall, Mr Speaker, that on many occasions I have stood in my place here in this House in the last year and a half that I've been in this job—and my predecessors in this job did much the same—complaining about opposition members abusing their privileges in this House, speaking at length on second and third readings and in committee on insignificant consequential pieces of legislation, of which we may have had 13 or 14, as the member suggests, in this piece of legislation, rather than perhaps one.

It's that approach by opposition members which says to a government: "Take those non-controversial items and put them into an omnibus bill. Sit down with the table officers, sit down with legal counsel and do that appropriately. Ensure that all the legislation you're going to amend is named in the title of the bill, and ensure that you don't offend the rules and traditions of the parliamentary system of this House." And that's what we've done.

Having said that, Mr Speaker, the members opposite will notice, and I think you're well aware, that when it comes to the major questions of policy such as we deal with in the four bills we had out before four committees over the course of the summer for public hearings and for clause-by-clause study—the long-term care legislation, the sustainable forestry legislation, the amendments to the Workers' Compensation Act and the major amendments to the Ontario Planning Act—we dealt with those in a straightforward, single-policy-issue-area approach, as we always have and we always will.

You understand, Mr Speaker, because of the nature of debate and partisan intervention in this institution, that a government takes its best approaches, as does the opposition, to the use of the rules and traditions of this institution. That's what we've done in a very careful way with Bill 175, in consultation with the table and with legislative counsel, in terms of the drafting of this piece of legislation, and I maintain it is fully within appropriate order in this House.

**Mrs Elinor Caplan (Oriole):** I'd like to speak to the point of order that is on the floor. I listened very carefully to the government House leader when he said this is not the first time omnibus legislation has been brought into this House. I'd point out to him that we have argued, when previous omnibus bills were brought in that contained unrelated issues, such as the tax bill which contained drug policy legislation—in fact the government agreed to sever those to allow for the kind of debate that

was necessary, and the reason it allowed that omnibus bill to be severed and become separate acts was because the issues contained in that bill were controversial.

As a member of this House since 1985, I can see the value of omnibus legislation, most particularly as it is permitted today when you have related policy issues. I can also see, for the expeditious use of House time, the kind of omnibus bill which would cross ministries and which would be purely and simply non-controversial housekeeping issues. I believe that is new to this House, and we have seen the use of that only by this government in the last little while.

It is important to point that out while the traditions of this House are important, we know that from time to time Speaker's rulings change and evolve the traditions of this House through the setting of precedent in terms of what is and is not acceptable parliamentary practice. I'm pointing out that the practice of the New Democratic government to bring in omnibus legislation that crosses ministries and mixes, if you will, policy issues is a relatively new occurrence in this House.

The request I would make is that as I've heard the government House leader very clearly state that this bill is non-controversial, I would like to hear from him before you rule, Mr Speaker, whether he on behalf of the government would give his word to remove from this bill those items which are considered controversial. I've seen the amendments, and not all the amendments deal with those items about which there are concerns. What I want to hear from the government House leader today is a commitment that he will remove from the legislation those items which are identified as controversial, which require independent and full debate and discussion before they are passed into law, and a commitment that if they are going to use an omnibus piece of legislation which they declare is non-controversial, that in fact it be non-controversial, that it be housekeeping, minor technical amendments. I would ask him that where we, either in this party or in the third party, identify a section of this bill which we believe to be controversial, he will give us today his word that that will be removed from the legislation.

He has stated in this House that all items in this bill are housekeeping and non-controversial, Mr Speaker, and I think that would influence your judgement in making a decision as to whether this act could proceed in its present form. As I've stated, the decision you make today is precedent-setting. I believe the member from the third party, Mr Tilson, has identified a valid and legitimate point. I would ask that the House leader for the government give his word to this House that they will remove any issue, any section of this act, which is deemed by the opposition to require further debate because of a nature that we believe is controversial.

**Mr Ernie L. Eves (Parry Sound):** Just very briefly, Mr Speaker, I think this is a fairly important ruling you're going to have to make. I've heard the member who introduced the point of order, the member for Dufferin-Peel, talk about a common thread that goes through legislation, and I think he's quite correct. But before you make your ruling, I think you should consider

that the common thread should be one of subject matter. It's the subject matter, I think, that has to be the common thread in an omnibus piece of legislation.

I'm sure the government House leader will correct me if I am incorrect in his perception of the bill, but I understand that the bill is dealing with efficiency in 14 separate ministries affecting some 100 pieces of legislation. If that is acceptable, I ask you, would a piece of legislation that dealt with 22 ministries affecting 972 pieces of legislation be acceptable? Then surely we would come to the point in legislatures and the parliamentary system where at the beginning of every session we'd simply have one gigantic omnibus bill that would deal with every statute and every ministry we ever wanted to change in the course of that session, and that would be it.

I strongly suggest, Mr Speaker, that you might want to give some thought to that before you make your ruling. I may be wrong, but I can't recall in my tenure here an omnibus piece of legislation that has affected 14 separate ministries and proposed to alter some 100 statutes in the province of Ontario and there's absolutely no connection in the subject matter between the various aspects of various ministries.

I would ask you to consider that in your ruling, because I think this is just the next step along the way to, as I said, having one gigantic bill. What would prevent any government in the future from dealing with all ministries and all statutes it wanted to affect during the course of that sitting just by doing one simple bill? Well, it wouldn't be too simple; it would be about this big. I think this place is almost going to become redundant. If in fact that happens, why don't we just do it by fax machine? We can all stay home and it would save a lot of money; We won't need any clerks, won't need a Speaker. We'll just do it by fax. The government can just send us one gigantic fax at the beginning of every session, and maybe we can vote by proxy.

**Mr David Turnbull (York Mills):** On this point of order, I'm concerned that we are coming back some five weeks later than the Legislature should have sat, and the government's excuse is that it doesn't have very much legislation. Yet the very essence of the House rules, according to the government, was that it was going to streamline the debate process and that would allow the lead speaker, the critic for that area, to be able to comment on it.

In fact, this legislation, because it's so wide-ranging, covering so many ministries and so many issues, has many critics, but there will only be one critic who will be allowed the luxury of being able to fully exercise debate on this and all the other people will be limited to 30 minutes. There can be no excuse for a government that tries to eliminate the comments of the critics for the various ministries by putting all the legislation into one package and simply saying, "We'll only allow one lead speaker on this issue." I hope you will consider that, Mr Speaker, in arriving at your determination on this.

**The Deputy Speaker:** I'd like to thank the member for Dufferin-Peel for having brought this matter to my attention. I strongly believe it deserves at least seven minutes of recess to consult, and I will be back shortly.

*The House recessed from 1623 to 1633.*

**The Deputy Speaker:** Previous members, both in this House and other parliaments, have often expressed their concern about omnibus bills. I do share these concerns that were raised by the member for Dufferin-Peel, the member for Parry Sound and the member for York Mills. However, it is not the responsibility of a Speaker to take upon himself or themselves to split proposed legislation. Furthermore, in the past when omnibus legislation has been split, it always has been as a result of an agreement between the House leaders.

Therefore, because there are plenty of precedents for omnibus legislation of many types and also because of the reasons I've just explained to you, I find that there is no valid point of order.

STATUTE LAW AMENDMENT ACT  
(GOVERNMENT MANAGEMENT  
AND SERVICES), 1994

LOI DE 1994 MODIFIANT DES LOIS  
EN CE QUI A TRAIT  
AUX PRATIQUES DE GESTION  
ET AUX SERVICES DU GOUVERNEMENT

Mrs Boyd moved second reading of the following bill:

Bill 175, An Act to amend the Statutes of Ontario with respect to the provision of services to the public, the administration of government programs and the management of government resources / *Projet de loi 175, Loi modifiant les Lois de l'Ontario en ce qui a trait à la fourniture de services au public, à l'administration des programmes gouvernementaux et à la gestion des ressources gouvernementales.*

**Hon Marion Boyd (Attorney General):** We all know that it can be very difficult for large organizations to change with the times and maintain good services. It is particularly hard for governments to adapt when, in order to change the way government works, the laws of the jurisdiction must be changed.

Statute law, like all law, has to evolve with changes in the society which it governs. Statutes can become slowly outdated because of gradual changes in technology, in the economy, in demographics or in standards of conduct, for example.

Good ideas for modest changes to statutes are sometimes not implemented for the simple reason that there is not enough time in the legislative calendar to address them individually. The legislative calendar is crowded with larger-scale or more urgent matters. However, a failure to keep the statutes up to date can result in a gradual deterioration in service to the public and in government efficiency. So our government has introduced Bill 175 to make a number of these modest changes to benefit the public and improve the government's use of its resources.

Bill 175 will amend over 100 statutes, generally in very minor ways, to produce moderate but real improvements in the way our government works here in Ontario. Some of these amendments will help modernize rules and procedures to reflect advances in technology. Other amendments will eliminate red tape and unnecessary rules affecting businesses and others and will eliminate duplication. Still other amendments will make minor adjustments to the statutes to clarify the law, to respond to



recent court decisions or to catch up with changed circumstances.

Most other jurisdictions in Canada enact a bill like this one at regular intervals. Our government hopes that a bill like Bill 175 will become a regular feature of Ontario's lawmaking too.

Many of the amendments proposed in Bill 175 were developed in consultation with organizations representing the people who will be affected by the changes, organizations such as the Canadian Bar Association of Ontario, the Association of Municipalities of Ontario, the Canadian Bankers Association, the Ontario Public School Boards' Association and the Ontario Separate School Trustees' Association, the Ontario Federation of Anglers and Hunters, the minister's mining advisory committee, the Ontario Medical Association, the Farm Products Marketing Commission and the Society of Ontario Adjudicators and Regulators.

A large number of proposals were suggested by public servants who also have identified ways to improve service to the public.

I am going to give only a few examples of the amendments which are contained in Bill 175:

The registrar general for Ontario will coordinate its data collection about births and deaths in the province with the Ministry of Health. This process will alleviate problems with fraudulent health cards. Policies and procedures used by the registrar general will be simplified. This will result in shorter lineups and quicker processing of applications and registrations, something which all members of this House will welcome. These improvements require changes to the Change of Name Act, the Marriage Act and the Vital Statistics Act, which are included in sections 76, 90 and 103 of this bill.

1640

Red tape and unnecessary regulations will be eliminated by amendments to the Business Corporations Act, the Business Names Act, the Corporations Information Act, and a number of other statutes governing businesses. These are included in sections 72, 73, 79, 80, 83 and 88 of Bill 175. Corporations and other businesses will be permitted to file information with the government in electronic format. Real estate transactions involving corporations will be made less expensive by eliminating some corporate searches that are now required.

Taxis used by persons with disabilities will be exempted from municipal bylaws that allow only locally licensed vehicles to pick up passengers in any given municipality. This will allow the person who is disabled to arrange a return trip across the municipal boundary using only one taxi. This requires an amendment to the Municipal Act. Subsection 124(11) of the bill will accomplish this task.

Currently, when someone's spouse dies without a will the amount that the surviving spouse is entitled to, which is called the preferential share of the estate, will be established by regulation. Now the surviving spouse is entitled to \$75,000, the cost of a modest house in Toronto in 1977, when the Succession Law Reform Act was passed. This amendment, in subsections 63(1), (2) and (3)

of the bill, will ensure that this law is updated to better reflect the average level of the estate at this current time, an advance on the 1977 provision. It can be done by regulation in such a way that statutes do not have to be amended each time there is a tremendous change in the value of estates.

Advances in technology will improve services at land registry offices. Changes to the Land Registration Reform Act will establish a scheme for the electronic registration of documents affecting land, and these changes are included in sections 86, 87 and 100 of the bill. When the necessary regulations are passed, lawyers will become able to access the land registry system from their offices to file information directly in electronic format and to access land registration records. This should reduce costs to the consumers who are buying real estate.

Federal and provincial food grading systems will be harmonized so that people have only one set of grades and standards to learn. This will also reduce interprovincial trade barriers. To accomplish this requires a change to the Farm Products Grades and Sales Act, the Livestock and Livestock Products Act and the Milk Act, and we will accomplish that by the changes proposed in subsections 19(6), 24(12) and 30(7) of Bill 175.

High-technology commerce will be supported by eliminating the requirement that many contracts be in writing to be enforceable. This action will eliminate much of the uncertainty about the legal status of contracts made by electronic data exchange, an increasingly common way to do business. In order to accomplish this, an amendment to the Sale of Goods Act and the Statute of Frauds Act is required and those are accomplished in sections 54 and 55 of Bill 175.

The method of approving the location of oil and gas wells under the Petroleum Resources Act will be streamlined, reducing the approval time from approximately one year to about one month, in section 132 of the bill. The oil and gas industry says that this will increase investment in Ontario's oil and gas sector and it will also better protect land owners' oil and gas rights.

The efficiency of tribunal hearings will be increased by amendments to the Statutory Powers Procedure Act, sections 56 to 61 of the bill. Approximately 80 boards and tribunals may be affected by these changes. The amendments will give them more control over their own procedures. In some circumstances, they will be able to use teleconferencing and other technologies rather than hold oral hearings.

If the number of school board trustees elected is less than the number of positions available, the elected trustees under this change will be able to appoint qualified people to fill the remaining positions instead of holding another election. The cost of a special election can be as high as \$100,000, and this cost is borne by the school board. In order to accomplish this change, we require an amendment to the Municipal Elections Act, and that is accomplished in subsections 11(2) to (4) of Bill 175.

Under this bill, the Farm Products Appeal Tribunal will assume the responsibilities of three other existing tribunals: the Agricultural Licensing and Registration Review

Board, the Produce Arbitration Board and the Wolf Damage Assessment Board. By having the Farm Products Appeal Tribunal, we will permit one-stop shopping by people who appeal from decisions made under 13 different agricultural statutes. This, of course, will result in lower costs and more efficient service to those who are seeking service under these acts. To achieve this end, 13 statutes are amended, amendments throughout part I of Bill 175.

These are the examples that I've outlined wherein Bill 175 will make a substantial number of modest changes to Ontario's statutes, all geared to benefit the public and to improve the government's use of resources.

We believe it is very important for us to take action on these bills in order to improve the efficient management of government. We certainly hear from the people of Ontario that this is what they expect of their legislators. I recommend the bill to the House.

**The Acting Speaker (Mr Noble Villeneuve):** I wish to thank the Attorney General for her opening remarks. Questions or comments?

**Mrs Elinor Caplan (Oriole):** The question I have of the minister is, since she has identified and used the words "modest changes" on numerous occasions and said that the bill is non-controversial, will she commit in this House at this time to remove from the bill those sections which are identified as controversial issues where the opposition requests that they be removed from the bill so that we can see expeditious passage of what are truly the minor, non-controversial items in this bill?

Will she make that commitment at this time to the people of the province, who have just heard her identify numerous issues which are indeed minor, numerous issues which reflect the kind of outdated and innocent practices that could be and should be changed and updated? Will she, if she is true to her word? And in fact if this legislation does not contain anything controversial, if everything in here is minor adjustments and modest changes done simply in this omnibus bill because there is insufficient time on the legislative agenda, will she commit today to remove from this package those items which the opposition parties identify as controversial, requiring fuller and greater debate?

That's my question of the minister. I'd ask her please to put that on the record at this time so that we'll know how to govern ourselves, as we wish to cooperate with the government and to assist it in dealing with those matters which are non-controversial, minor and modest changes.

However, I can assure you, Mr Speaker, that if the minister refuses to give her word that she will withdraw those items which are controversial, she will find the opposition less cooperative, because in fact she'll prove that she cannot be trusted.

1650

**The Acting Speaker:** Further questions or comments? Seeing none, the Attorney General has two minutes in response.

**Hon Mrs Boyd:** It is quite remarkably ironic that the House leader for the opposition suggests that we should

agree to remove from a bill of this sort anything that they might decide might be controversial as we go through the process. We have made every effort to consult with the opposition. We have already tabled a package of amendments that we are prepared to consider during this process, and we believe that that covers the items that have been identified through that consultation process. We are certainly prepared to consider amendments as we go along, but we are not prepared, and no government could be prepared, to make a blanket statement that anything a fractious opposition might decide to put on the table as controversial would be removed from a bill of this sort, which is particularly designed to deal with a large number of items.

So I would say to the member, in the course of our discussion, if it becomes clear that there are indeed items that we agree are controversial in the sense that they demand more public consultation, we will certainly consider that, but we have had considerable consultation to this point and have responded already to the comments that have come forward from the opposition parties and would not be prepared at this point in time to make a simple blanket statement which basically would put us in a position of having bought a pig in a poke on a very important issue.

**The Acting Speaker:** Further debate.

**Mrs Caplan:** Thank you very much, Mr Speaker. I know you won't be surprised when I say that I'm disappointed with the minister's response, because I believe that if she would make the commitment to withdraw any items which are controversial from this bill, in fact it would be a signal of good faith, and where she refers to a fractious opposition, in my question I said to her that it was our desire, on those issues which are modest changes, those which are simply outdated minor adjustments, to be helpful and to cooperate with the government wherever possible. I was certainly not behaving in a fractious manner, nor was I being provocative. I simply asked the minister, with respect, if she would agree to withdraw those items which are identified by the opposition parties as controversial, and the fact she has said she would not give that causes pause for concern and would also suggest that we better look a little more closely at this legislation, because the history we've seen from this party and this government in the last few years has been a dupliciousness.

We have seen in omnibus bills items buried at the back of the bill where the title on the legislation did not give any indication as to the content of the bill. I tabled in this House two private members' bills to separate out of omnibus bills very controversial issues, and in fact I'm pleased to say that the government ultimately severed those bills because of the fact that I was able to bring them to light in this Legislature in a public way, asking simply for the kind of important debate that democracy demands.

I'm going to quote from a background information sheet that was provided by the Ministry of the Attorney General. It's a comprehensive examination of the bill. It starts out with the question, "What is Bill 175?" and it makes this statement right up front: "Bill 175 makes non-



controversial changes to over 100 statutes to improve the operation of government in Ontario and to improve service to the public."

If that is true, then why would the minister, who is putting forward a bill that she says and her staff says is non-controversial, in any way have any concern or hesitate at all to say that if something is seen to be controversial, it will be taken from this bill and allowed to have the full public debate that democracy demands? I think that is a reasonable request on our part.

I can tell you that there have been briefings over the course of time since this Bill 175 was tabled for first reading. One was attended by my colleague Murray Elston, and on the issue of the merging of birth records and death records he asked a very important question, and that was, in the case of parents who tragically have a child who died at childbirth, would they be faced under this new system with receiving a birth certificate? In fact, that question could not be answered, and I'm hopeful that since the time that issue was raised in the briefing that was provided by the ministry, some thought has been given to these administrative efficiencies to ensure that of course that wouldn't happen to a grieving family.

These are the sorts of things that, while not entirely controversial in the sense of the traditional controversies we have in this House—if a piece of legislation is going to result in that kind of pain for a family, certainly we should be able to be assured that the administrative side of that policy that's been brought forward in this legislation has been considered and that those kinds of issues have been resolved.

My staff has also attended briefing sessions, and I'm going to share with the House some of the issues which have been found to be of no concern to us and which we would be quite supportive of seeing go through in omnibus legislation, provided that, if there were issues which were seen to be controversial, we could have the kind of full debate and discussion we are requesting.

The briefing note I refer to, of background information on Bill 175, had the question, "How were the proposed amendments selected?" It says: "Proposals were selected for inclusion in the bill only if they were not controversial and met at least one of the following criteria: The proposal would result in more efficient delivery of customer service; would result in more efficient use of government resources; would save money. Amendments are also proposed to clarify the law and to reflect recent judicial rulings."

When I read this, I said, "That sounds like the kind of bill that could be supportable if in fact all the pieces of that bill did what they said they were going to do." But because of the natural scepticism of this place, given the history of this government's, as I used the word before, duplicitousness, I am concerned that through the discussions, through second reading, as we highlight for people watching this debate what is contained in this bill, there may be something buried in the bill which is in fact controversial. If the government states in writing, if it states in background information which is available to any of those interested in the bill, that it is non-controversial, the point I make is that it should be non-controver-

sial. I will be identifying a couple of areas where I believe there is sufficient controversy to warrant fuller debate and discussion.

The structure of this bill, as the minister noted, is that there are about 110 proposals from 14 ministries included in this bill. There are sponsoring ministries for the different proposals; however, the Attorney General has carriage of the overall bill. The overview of the proposals contained in the background says: "Most of the proposed amendments are modest. The majority are changes concerned with the administration of government programs and management of government resources."

It goes on to list examples, some of which the minister herself identified: advances in technology, elimination of red tape and duplication. When I read through the list, knowing some of the experiences we have had in dealing with the NDP government—and I know the frustrations of business in dealing with the corporate \$50 filing fee, just as an example—to hear this government talk about the elimination of red tape, and on the other hand it has ministries that are looking for ways to impose new regulations and new burdens on business, reminds me of the old story that says that when government comes to cutting red tape, it does it lengthwise.

While there are some examples in this legislation of the kinds of things we'd like to see happen, I can tell you, there are concerns about many of the other proposals that have come forward from this government which in fact have increased the burden of red tape on business, and in particular small business.

The concerns raised by this piece of legislation are broad and sweeping in its proposals. We've had some identified by the minister, and I want you to know that while I think the issue of taxis for handicapped persons is an important issue to be discussed and to be debated in this Legislature, and I think the proposal is generally supported by disabled persons, to say it is wholly non-controversial is not accurate. As you can well imagine, there are taxi companies which do not support the proposal and would like an opportunity to discuss further how they're feeling about this and what the impact on their business would be.

I would say to the minister that in a democratic forum, when you have two opposing views, it is a good idea to give them the forum to come forward, even though at the end of the day this Legislature may decide that the needs of disabled people supersede the concerns of the taxi companies.

1700

When I raise this as an issue, I'm raising it to point out that not everything in this bill is simply housekeeping, minor amendment, minor change. In fact there are some businesses and individuals who have a keen interest in some of the provisions in this bill because it will have an impact on them, some of them positively, as you've stated for disabled persons, and some negatively, as in those who now have taxi companies, which are limited in their ability to cross the boundaries and feel they may be disadvantaged.

So I point out to the minister that there are some who

would like some further discussion and debate on some of the features of this legislation, and it is important not to broad-brush the whole thing and say it is non-controversial.

I don't believe there is anyone who would not support the amendments to provincial and municipal elections which will inhibit the kind of corrupt electoral practices such as voting twice, abusing proxies and the like. I think everyone believes those are significant and important. It seems to me there are some who perhaps would like to hear some examples of where that's happened and why the existing laws have been unenforceable.

We know those practices are illegal today, but the government has been ineffective in its ability to enforce, so what we're really dealing with here are new enforcement provisions. I think that's the sort of thing we could highlight if we had sufficient time in the debate to discuss it.

The powers of administrative tribunals: One of the areas I'm particularly concerned about is that in this piece of legislation we have identified that there are powers given to administrative tribunals under this broad brush, and it says the efficiency of tribunal hearings will be increased by amending government legislation, the Statutory Powers Procedure Act. Proposed amendments will give boards more control over their own procedures, and approximately 80 tribunals will be affected.

As I've had a look through this, I have identified that there is one new commission that in fact is not listed individually on the briefing note but that, it has come to my attention, is included in the bill and over which there is a great deal of controversy, and that is the new Advocacy Commission which the government has announced it will proclaim as of January 1. We dealt with the Advocacy Act in this Legislature; it spent time going through the legislative process. We had first reading, we had second reading, we had committee public hearings. At no time during that process did we hear from the government whether this agency was going to be a schedule 1 agency or a schedule 2 or a schedule 3. There was no opportunity to debate just how arm's length this should be from government. I know there are very differing views by numbers of people who are concerned about what kind of scheduled agency the Advocacy Commission should be.

In this legislation, the government gives all kinds of broad powers to the Advocacy Commission for hiring and the kind of normal administrative procedures. I would argue, however, that that should have been included as part of the Advocacy Act, where we then would have had the opportunity to discuss how this act would be implemented.

One of the concerns I have, and what makes this highly controversial, is that our party does not support the model that the government has chosen for its Advocacy Commission. There are many others who share our concerns. We do not believe you will be ready to proclaim in January. The fact that you do not even have in place today, October 31, any of the administrative powers for that commission to be able to govern itself and to act and respond suggests to me that it is unworkable to

include those powers in this legislation and yet say you're going to proclaim in January.

I believe the establishment of the Advocacy Commission, which is included in this legislation, is deserving of a great deal of debate because in fact both opposition parties have stated that they do not support the model of the Advocacy Commission that the NDP has brought forth.

There are many who have concerns about how people have been appointed to that commission. A press conference was held just last week from the advocates and the organizations concerned with implementation of the Advocacy Act—and their own concerns as to the ability of the government to deliver what they promised and in fact deliver an Advocacy Commission that will be able to function, that will be workable. Many are suggesting that if you attempt to proclaim in January, you will create chaos and many of those who have been helped by advocacy in the past will in fact be harmed. There are many who are saying that.

I have the question: Why was this part of the powers for the Advocacy Commission left out of the Advocacy Act? Was it done simply because of the ineptitude and mismanagement of your government or was it that you didn't want any debate about the powers you were giving to the Advocacy Commission?

Our party is clearly on the record that we would scrap the Advocacy Commission as it is presently constituted under the Advocacy Act. The cost to the taxpayers of some \$30 million we believe is unconscionable, and we believe that in its present form it is unworkable, that your notion of having province-wide rights advisers is just not something that is going to be possible starting January 1. We've had that debate, we've had that discussion, we've told you how we feel about that. How can you believe that the establishment of administrative powers for the Advocacy Commission would not be considered controversial in this legislation?

There are grave concerns about what the impact would be on the Psychiatric Patient Advocate Office. I have some previous experience, because the Psychiatric Patient Advocate Office has always been an important component in the supports for mental health patients within the Ministry of Health. When I attended the press conference last week and I saw the concerns, the letter to the Premier about the Advocacy Commission and the Advocacy Act, the way people have been appointed and how that act is going to be implemented, I was surprised when I realized that in this non-controversial piece of legislation we have powers given to the Advocacy Commission.

**1710**

I would ask the minister very directly if she would be prepared to withdraw the sections of Bill 175 that deal with the Advocacy Commission and allow those to be debated in a separate piece of legislation as an amendment to the Advocacy Act and allow for the full and democratic debate we believe these issues deserve, given the passions that have been raised in the community and the concerns that have been raised about how this government is going about implementing its Advocacy Act and the Advocacy Commission.



I'm pleased to place on the record some of the letters that I've received and the concerns that have been raised, and if the minister is prepared to withdraw those portions from this act, then I won't take the time of the House to read them into the record. I'll give her a few minutes to contemplate that, but if she's not convinced, then I will in fact proceed to share that with the House because I think this is an issue that she should be aware of, just all the concerns that are out there.

I will say that as recently as yesterday in an article in the *Toronto Sun* written by Mona Winberg, who has always been considered an advocate for disabled persons in the province—the article she writes is very telling and suggests to me that this issue is controversial and should be withdrawn from this legislation to allow it to have full debate and discussion.

I'm not going to read her entire article into the record, but the bottom line is "For me, the answer is clear: We're better off without this particular commission," she said," and she's now referring to Spindel. I want to put this into context. She's referring to Trish Spindel, who is the former president of the nursing home reform advocacy organization Concerned Friends of Ontario Citizens in Care Facilities. She says, "Spindel feels that people should ask themselves: 'Are we better off with or without this commission?'" "For me, the answer is clear: We're better off without this particular commission," she said."

Then Mona goes on to say: "I agree with Spindel. Not only is it of no value to vulnerable people, but hard-earned taxpayers' dollars will be wasted on what the underground newsletter the Probe and Nail describes as 'patronage commissioners.'" The bottom line is, "If we want effective advocacy, we're going to have to do it ourselves."

I would take the minister back to her very own briefing note coming from her ministry that says, "Bill 175 makes non-controversial changes to over 100 statutes to improve the operation of government in Ontario and to improve service to the public."

If Mona Winberg and Trish Spindel and others believe the Advocacy Commission is ineffective in its present form, then it is controversial enough, in my view, for the powers to be withdrawn from this legislation so that it can be fully debated and discussed in a forum where Trish Spindel and Mona Winberg and others who have concerns about the functioning of the Advocacy Commission as it is proposed by the NDP can come forward and have their say, as opposed to having that buried in a piece of legislation that affects 14 ministries and has 110 proposals from those 14 ministries.

I would like to tell you that there are some areas which we have found to be relatively innocuous, for example, those sections dealing with Agriculture, Food and Rural Affairs. In our consultation with a variety of marketing boards and others, we found that there was no problem with anything that was proposed by the ministry. In fact it was non-controversial and contained the kinds of changes that were generally supported and that some said were long overdue.

The assessment review board proposals: The Canadian Property Tax Association noted that there was a technical

mistake regarding appeals, and I understand that this will be amended in committee of the whole and that amendments have been tabled to do that. I wanted to point that out in case anyone from the Canadian Property Tax Association is watching the proceedings.

On the Statutory Powers Procedure Act proposal which I mentioned a few moments ago, the Ontario Public School Boards' Association feels that the availability of pre-hearings and interim orders will result in delays. They're concerned about that.

The Society of Ontario Adjudicators and Regulators feels that the pre-hearings will speed up the procedures. The ministry has decided to agree with SOAR, the Society of Ontario Adjudicators and Regulators. This particular system that is being proposed is presently used in the Ontario courts. The Ministry of the Attorney General feels that it is working well.

However, I would point out to the minister that there are some, like the Ontario public school boards, who feel that it will cause delay. I hope that the minister has met with them and satisfied their concerns and showed them where the system is working well in the courts, although I know there are many who feel that our courts are not working as well as they could. But I did want to point that out, that on the statutory powers and procedures proposal there were some who had some concerns as to whether or not the proposal would in fact do what it is purported to do.

The Citizenship component, the Human Rights Code amendment: There were a number of groups that didn't want to see the power to dismiss a complaint and referral to the board of inquiry or the power to reconsider and to have reconsideration delegated to employees of the commission. I am pleased to note that the government has tabled an amendment which would amend this out of the legislation. It's in that spirit of the fact that they have done this on the Human Rights Code, the fact that they've done it for that, that I'm asking if they would do it as well for the Advocacy Commission and any of those which we identify as we go through this legislation and through this debate, that others identify and say: "Hey, wait a minute. That's not housekeeping. That's not a minor amendment. That's not something that we think should go through without full debate."

What the government is saying is, "We don't want this to go to committee. There should be a protocol for non-controversial items, where we can just have the debate in the House, go directly to committee of the whole." If that's what you want, then it's important for you to be cooperative and to remove those items which are controversial. The Human Rights Code amendment has been removed from the legislation, or will be removed, because of the amendments that have been tabled.

On the Consumer and Commercial Relations amendments, the company law directors' liability, the Canadian Bankers' Association highlighted a technical problem. They felt the provisions could be read the wrong way, although they agreed with the intent of the provisions. The ministry agreed again to amend, and I've noted that they are in the package of amendments. So I want to make that point in case anyone from the Canadian

Bankers' Association is watching. Your amendments have been tabled and they will be dealt with.

In the Education and Training sections of this bill, the proposals to allow school boards to pay premiums on employee pensions when they take early retirement: Presently this is under the Municipal Act and the responsibility falls to the municipalities. The Ontario Public School Boards' Association has said that they don't want this power. The ministry seems to want to give them the power, whether they want the power or not. So one of the questions that I would have for the minister is: Why are you insisting on giving the Ontario Public School Boards' Association the power to do this when they say they don't want the power?

I think that's an issue that should be clarified on the record, so that they'll know why you're insisting on doing this. I understand this has been a decision of the ministry. I would just ask that you clarify it so that I and others can understand why you've decided to overlook the concerns of the Ontario Public School Boards' Association on that one.

Under the Ministry of Labour components, I know that the ministry has received a number of technical questions on how the amendments will work and I am hopeful that during the debate and discussion you'll be able to clarify for us that you have in fact answered all of the concerns of those who would be affected by those amendments.

On Municipal Affairs, I mentioned the taxis a few minutes earlier and I'd like to repeat it again in a different context. The taxis for handicapped people crossing municipal boundaries, that is generally supported by disabled persons, and for good reason. The way it works today is that they can only go as far as the municipal boundary and then they have to change taxis and go in another taxi, and while many use Wheel-Trans and so forth, on many occasions they just prefer to hire their own taxi and are frustrated when they have to change taxis at a municipal boundary.

1720

I know you have received some letters regarding the company that has some concerns it has raised, and the company says it would like to see the legislation restricted to wheelchair cabs only. Now, I don't know if it's your intention to do that or how you've responded, but their request would then apply to people with mobility problems.

To be honest, my heart is with the disabled individuals, regardless of what their disability is, to make it easier for them to travel across the municipality. But I am interested. As a member of the opposition, it is my role to place the concerns of those who say, "We have a concern about this," so I put it forward and wonder what, if any, discussions you had.

What I found particularly interesting about this was that Metropolitan Toronto apparently contacted your ministry and said it would prefer that you not include this in the legislation at all, that its preference would be to allow it to find its own solution for dealing with this issue. Although, as I say, I'm aware that there are numbers of points of view as to how to proceed, it seems to

me that a request from the Metropolitan Toronto council that it be able to identify and develop local solutions is one which the provincial government should listen to.

Rather than just the rhetoric that says, "We decided to go in support of one particular group," I'm wondering why you dismissed the request of the municipality of Metropolitan Toronto, which said, "We think we can find a solution to this." In fact, it's the municipalities who run Wheel-Trans. They have great experience in finding local solutions to problems where you have different interest groups, and I was quite surprised that with a request from the municipality of Metropolitan Toronto, you wouldn't have considered its request to let it find a solution.

As I say, I think it's an issue that must be addressed. I don't believe that disabled individuals should be restricted and in any way have their lives made more difficult, but I think it's not necessarily the provincial government that has to be prescriptive on all things. If you have a local council that says, "We have some ideas; we think we can resolve that issue," my inclination is always to empower the local municipality to find the solution that's going to work in its municipality, rather than doing something which is made at Queen's Park and imposed on municipalities across the province. So I raise those points for your consideration.

Natural Resources: You raised the trapping wild fur industry and the federation of anglers and hunters, which has asked in your support of fish farming—by the way, trapping for wild industries and support of fish farming are not major issues in the riding of Oriole. We don't have a lot of wild animals except for a few raccoons and lots of squirrels that are running loose and we don't have any fish farms in the riding of Oriole. However, notwithstanding that, there are a lot of people who are concerned about fish farms and they are concerned about the trapping of wild fur and that industry.

It's my understanding that the minister and the ministries, particularly the Ministry of Natural Resources, have agreed that when it comes to making regulations, they would consult with the organizations that are involved with those industries. As I said, even though they're not big industries in the riding of Oriole, I share the concerns of those who wanted that commitment from the government.

On the Ministry of the Solicitor General and Correctional Services, the Ontario Non-Profit Housing Association, in its consultations with us on Bill 175, also flagged a technical omission. The proposal is to allow the coroner to decide when to investigate a death in a nursing home, and as a former Minister of Health, I know how important that is; however, a number of homes for the aged are covered under the Charitable Institutions Act. I understand there will be an amendment and I'm assuming it is in the package. The minister nods her head, so that amendment for the Ontario non-profit homes association has been tabled and will be dealt with at the appropriate time, and its concern has been addressed.

There are a couple of other things I would like to address as we look at Bill 175. I find it interesting that the argument has been made by the government that there's not enough time on the legislative agenda to deal



with the issues that are contained, primarily because they're seen as non-priority issues for government. As I said, I have some sympathy for the notion of an omnibus housekeeping bill that would deal with non-controversial, minor changes that are agreed upon by most of those who are affected by the legislation.

I have some sympathy for that, but when I hear ministers from the NDP government talking about the fact that they don't have any time on the legislative agenda, I can't help but get frustrated and aggravated because what we've seen this government do is throw out the legislative calendar and shorten the sittings of the Legislature: This fall we're scheduled to sit 20 days. If we had come back when the calendar said we should have come back, and we pointed that out at the time the House adjourned, we would have had additional time on the legislative agenda to deal with many of those things that the government says we don't have time to deal with. Well, of course you don't have time to deal with it, because you chose for the House not to be here.

I think the public will not be fooled. They know, when the government states it doesn't have time, that it could have had more time by simply making sure we were here in the House doing the public's business.

Now, I can tell you there are some constituents of mine who were quite pleased when the NDP said it was not going to be in the House for the full legislative time frame. They said they were happy the House wasn't going to be here because that shortened the amount of time in which the NDP could do damage and bring in pieces of legislation that would further damage the economic recovery of the province.

One of the points I'd like to make is that here we are on day one, back in this House after a summer recess. Committees were in session, work was being done, but here we are on day one. We know there is a slow, sluggish economic recovery taking place in Ontario compared to the rest of Canada. We are concerned about instilling confidence in that recovery because that recovery is very important to the people of this province. For the first item of business—

**Mr Randy R. Hope (Chatham-Kent):** You haven't been listening to the newscasts. You'd better state factual information.

**The Acting Speaker (Ms Margaret H. Harrington):** The member for Chatham-Kent, come to order.

**Mr Charles Harnick (Willowdale):** You've gone down in the polls. You've had six months to play around and give out cheques, and you've gone down.

*Interjections.*

**The Acting Speaker:** Order. Will the member take her seat, please.

*Interjection.*

**Mr Harnick:** Read the plan, Gilles, if you can. You've had your Premier running around giving out cheques.

**The Acting Speaker:** The member for Willowdale, come to order. The member for Oriole has the floor. I would like to continue to listen to her.

*Interjection.*

**Mr Harnick:** I'm here more than you are. I'll take my attendance against yours any day of the week, my friend.

**The Acting Speaker:** The member for Willowdale, come to order.

1730

**Mrs Caplan:** Madam Speaker, thank you very much. What I'm attempting to do is to point out to people who are watching this debate that what Ontario needs at this time is a government that places the economy and job creation number one on its agenda, and what we have today is a piece of legislation brought before this House which the minister herself says is a housekeeping piece of legislation.

**Mr Hope:** Just like the Liberal record, eh, Elinor? You Liberals in Ottawa have been waffling so much on ethanol—

**The Acting Speaker:** The member for Chatham-Kent, come to order.

**Mrs Caplan:** While there is a time and a need for the government to deal with housekeeping legislation, it seems to me that legislative time at the beginning of a session could be better used to identify those kinds of active pieces of legislation that are going to send out signals of confidence, that are going to say to business, "Come and invest in Ontario," that are going to create a climate where we will see jobs created in the private sector, not simply in the public sector, as a result of this government's policy.

On this first day back in the Legislature, I would have preferred to see other legislation, and then I looked at the legislative agenda. The legislative agenda for these 20 days in the House contains legislation, none of which I think a reasonable person would look at and say is designed in any way to bring the kind of confidence to the province of Ontario, to the private sector, to say: "Come. Ontario is open for business. We want you to invest in Ontario."

As I address Bill 175, which is a piece of omnibus legislation, there are some things that are generally troubling about the kinds of omnibus legislation this government has brought forward, and I would like to highlight them. The minister has suggested they are a little suspicious of a fractious opposition which is putting forward concerns perhaps to cause them grief and heartache, and I want to say that nothing could be farther from the truth.

On Bill 175, what I am attempting to do is to let them know why—I want them to know why—we are suspicious of omnibus legislation and why I have asked for the word of the minister that they will withdraw anything we identify as controversial. Bill 175 is an example of the kind of NDP legislation which they declare as omnibus, and we've had numerous pieces of legislation which, upon closer and further examination, in fact had hidden in them little issues which were troubling and extremely controversial, and they were lumped together. I want to give you some examples.

We had legislation that lumped basement apartments

together with measures to regulate care homes, two completely unrelated issues, both deserving full debate. The issue tended to focus on the legalizing of basement apartments, and it's my concern that the important issue of regulating care homes got short shrift because of that omnibus legislation.

Now we have Bill 175, which is, as I said, outlining changes to more than 100 statutes in 14 different ministries. Omnibus legislation is a dangerous precedent that has been established in this House, and I want to put on the record my concern. My view is that it's very possible that a few months from now members from the other side will be standing complaining about omnibus legislation, but the precedent has been set and it has been established. I believe you will rue the day that you have brought in the kind of omnibus legislation which contains controversial pieces of legislation which are deserving of fuller debate. I'm just suggesting that omnibus legislation is the stuff about which you will at some point in the future say, "Maybe that wasn't such a good idea."

I have no problem with omnibus legislation which is housekeeping being brought into this House in an open manner. I think protocols can be established to do that. My concern is that when you have combined controversial issues in one piece of legislation so that the debate focuses on only one part of that legislation and the other is not given the kind of full debate it should be, you have established a precedent which will create headaches for you in the future.

The government's news release on this bill talked about cutting of red tape, and I've already given some examples of how the NDP cut that tape lengthwise, but that's just an old, bad joke that I remember hearing way back in my days at municipal council. Mel Lastman used to make it on a regular basis and I remember how true it was. Having served on North York council with Mel Lastman for six and a half years, I grew to have enormous respect for someone who could set his mind to cut red tape and I saw how it could be done. I want to point out to the government that in fact it has not done what it said it would do in the area of cutting red tape.

When they talk about the allocation of scarce resources, the reason that we are so sceptical is that they have a very bad record. One of the things we know is that by the end of this year the NDP will have spent \$73 million on an Interim Waste Authority, which we believe is a deeply flawed approach to dealing with waste in the greater Toronto area.

I made a speech at length on Bill 143 when it was before the House, and when I hear the government talking about scarce government resources in Bill 175, I say to them, if you were really interested in better allocation of scarce resources, I'm going to give you some examples of the sorts of things—and perhaps if you had included scrapping the Interim Waste Authority in Bill 175, that would also have been seen as non-controversial by all of those who hate the Interim Waste Authority and believe that it's just a big waste of money. I challenge you: Include the scrapping of the Interim Waste Authority in Bill 175. You'll have support from this party.

In 1993, for an example, the NDP government spent \$1.2 million on cellular phones, and yet in Bill 175 there is nothing about government use of cellular phones. The huge cost as you're allocating resources—we know, for example, that your bill today is 10 times higher than what it was in your first year in office. There's nothing about that in Bill 175. Why not? If you're interested in better allocation of scarce government resources, how about some rules for your own use of mobile telephones? This is something which I know the now Attorney General is very aware of, and I think it's an example of a poor allocation—

*Interjection.*

**The Acting Speaker:** The member for Lake Nipigon, come to order.

**Mrs Caplan:** —a very bad allocation of scarce government resources.

*Interjection.*

**The Acting Speaker:** Order. We cannot continue until we have order. Please continue.

**Mrs Caplan:** I think that because Bill 175 is about the better allocation of scarce government resources, and we know that's in the briefing notes and in the remarks we've heard from the government, it's very appropriate for me to give them some examples of things where they could be allocating the resources in a different way and in a way which I think would be in the public interest.

For example, the NDP has spent almost \$26 million in the converting of private child care centres to not-for-profit child care centres: \$26 million, and not one additional space has been created for a needy child.

**The Acting Speaker:** Would the member please relate this to Bill 175.

**Mrs Caplan:** Well, Madam Speaker, I believe that if Bill 175 had contained a reversal of that policy, you could have had a much better allocation of those resources. We believe the \$26 million has been wasted. Bad public policy.

I'll give you another example. There's nothing in Bill 175 about the Jobs Ontario training plan. However, we know that \$1.5 million has been spent on advertising. I've seen the ads, both in print in the newspapers and on television, and I'll you, people have come up to me on the street, my own constituents, and said, "Those ads are a disgrace." I think Bill 175 could have contained a ban on those ads. You could have \$1.5 million available if you would stop spending money on those ads.

I'm going to give you another couple of examples of efficiency in government. This Bill 175 is about efficiency in government, and therefore I feel it is legitimate and it is a good opportunity for me to identify for the government places where it could be more efficient.

1740

I'm going to give you another example. During your first few years in office—you've been there four years now; you're into the fifth year of your mandate—you spent more than \$8 million on over 200 public opinion polls. By the way, that's an average of one poll a week. If Bill 175 had taken the moneys from the ministries on



the basis that they're scarce resources and we don't want you spending them on public opinion polls, you could have found an additional \$8 million.

Another example of places where you could be more efficient and that Bill 175 does not address is your plan of sale and leaseback of computers. They paid \$4 million to a consulting company to count the computers; not evaluate them, not see what they were worth, just count them: \$4 million to have somebody come in and count them.

I would suggest if you wanted them counted, you could have had your own audit branches do it. Every ministry in the government of Ontario has an audit branch. They could have done an audit by counting. Most of them have hand-held calculators. It wouldn't have been difficult. You didn't need to waste \$4 million to count the number of computers. Bill 175 does nothing to see that this is a more efficient use of government resources.

One of the ones that not only makes me crazy—I drive by it every day—but is also an example of wasteful, unnecessary expenditure is the asphalt park: \$1 million to pave over the site of the former ballet-opera house.

**Mr Anthony Perruzza (Downsview):** On a point of order, Madam Speaker: My point is that at some point you're going to have to make a ruling about what we debate, whether it's matters that are contained in the bill or the gazillion other things that are not in the bill. I think at some point you're going to have to put your foot down and make a ruling on that, Madam Speaker.

**The Acting Speaker:** Member for Downsview, please take your seat. I certainly will. The member can continue with her debate.

**Mrs Caplan:** Thank you very much, Madam Speaker. I'm going to read the title of Bill 175 into the record at this time. Bill 175 is An Act to amend the Statutes of Ontario with respect to the provision of services to the public, the administration of government programs and the management of government resources.

I believe an omnibus bill of this nature, which amends over 100 statutes in 14 ministries, is an important opportunity for me to be able to point out to the government ways that it could better allocate scarce resources. This bill is supposedly about efficiency in government, and I don't want anybody who's watching this debate to be deceived by thinking that the NDP understands how to be efficient in government.

Many of these amendments are long overdue, minor housekeeping changes that in fact are worthwhile to support. Some of them I believe need further debate and discussion. What certainly needs fuller debate and discussion is advice to the government on how to do things more efficiently. Since this act is about efficiency, I'm giving them some examples of wasteful expenditures of scarce public dollars.

*Interjections.*

**Mrs Caplan:** Madam Speaker, with your patience and a little attention from members opposite, I would like to continue. I can understand that they are upset that I would mention \$1 million spent to pave over the opera-

ballet site, clearly wasted money. They're obviously embarrassed by it. My constituents say to me, "What a waste of money."

This government did absolutely nothing to halt the construction of an unnecessary new downtown office building for the Workers' Compensation Board. They did nothing to stop it. They are the government of the day. The Workers' Compensation Board is accountable to the Minister of Labour. We know the cost of that building is \$180 million. That's at a time of high vacancy rate in downtown Toronto—total and complete waste of money. If you want to have a discussion about efficiency in government, \$180 million for an unnecessary building for the Workers' Compensation Board is a very good example.

We also raised a few other issues over the course of time. I never understood how the government could permit someone who had left Ontario, was living in Denmark, to remain on the government payroll. I'm glad that when we raised it, it was cancelled, but I have to tell them—

**Hon Gilles Pouliot (Minister of Northern Development and Mines):** What about Bob Nixon living in England?

**Mrs Caplan:** Well, it's interesting that the member opposite, the Minister of Northern Development and Mines, talks about the trade offices, because Robin Sears, friend, confidant, campaign worker of the Premier, was still living in Tokyo at the same—

**Hon Mr Pouliot:** You appointed him.

**Mr Hope:** Who put him in his spot? Come on, Elinor.

**Mrs Caplan:** The point that the members are making is a very interesting one. You closed all—

*Interjections.*

**The Acting Speaker:** Order. Will the member take her seat.

**Mr Hope:** Elinor, you had more people around the trough than anybody.

**Hon Mr Pouliot:** You don't appreciate good news. You must stop watching the National every night.

*Interjections.*

**The Acting Speaker:** Order. We will wait until the member for Chatham-Kent, the member for Halton North and the member for Nipissing are coming to order.

**Hon Mr Pouliot:** May I kindly remind you, with respect, that I am not, absolutely not, the member for Nipissing.

**The Acting Speaker:** Would the member take his seat.

**Mr Harnick:** When she sits down, then you can stand up.

**The Acting Speaker:** We would like to continue. The member for Oriole.

**Mrs Caplan:** I understand that my comments are provoking the members opposite, and I can understand why. They're very embarrassed, and should be.

**Mrs Margaret Marland (Mississauga South):** A point of order, Madam Speaker: In this House, after we

have been recessed for four and a half months, you would think the government members could show some courtesy to a Liberal member who is speaking on behalf of her viewpoint, without interjections.

**The Acting Speaker:** Thank you. This is not a point of order.

**Mrs Marland:** Interjections are out of order.

**The Acting Speaker:** Thank you. We would like to resume the discussion. The member for Oriole has the floor.

**Mrs Caplan:** I'm not surprised that the members opposite are provoked. I've deliberately chosen examples that I know would embarrass them, and it is important in a democracy for these issues to be raised in this House. And when we're talking about an omnibus bill which is entitled to be efficiency in government, then I can understand that this government would be embarrassed by the items that I am raising.

I would like to spend a couple of minutes on streamlining and the cutting of red tape, because as I mentioned a little earlier, they've been adding barriers to business and creating new bureaucracies. I'm going to give a few examples, and I expect some hoots and hollers from across the way. But in fact it is a further burden to small business.

It is more red tape, your new corporate filing fee. You've made it mandatory for every corporation in the province to pay the fee every year. Even though the corporations' information hasn't changed, you are insisting that the corporations send in a filing fee.

Let me tell you what happened. What you said was that if they didn't pay the fee, you would dissolve the company, and then you were faced with hundreds and thousands of companies that were being dissolved. They were being told by their lawyers that it was going to cost them hundreds of dollars to reinstate their companies, and then you realized, whoops, you'd better do something about that, so you declared a further opportunity for them to reinstate themselves.

Let me tell you something. At a time when the economy is just beginning to recover, at a time when small business wants to make its first priority economic activity, job creation, economic recovery, they are faced with yet another demand from the provincial government (1) for money, (2) for paperwork, and it's making them frustrated in the extreme, it is making them angry, and it is creating a kind of climate where they just want to throw their hands in the air and say, "We can't take it any more."

That's the wrong attitude. At a time when Ontario is coming out of the recession, the provincial government should be doing everything in its power to make it easier for businesses to be established, easier for businesses to thrive and flourish.

1750

**Mr Perruzza:** How would you know how—

**The Acting Speaker:** Order. Would the member for Downsview come to order.

**Mrs Caplan:** In fact, when you look at this corporate

filing fee and you say, "How has this helped business?"—it hasn't. Under Bill 178, the NDP government has used the expression "clearing the path." I say to them, if you were so concerned about clearing the path, why did you introduce Bill 178, the Unclaimed Intangible Property Amendment Act, which many have recognized is just a hidden revenue grab by the government that's going to heap additional compliance on Ontario's businesses?

This was—I know that it was ultimately withdrawn when this was raised—seen by many as just a revenue grab. What the Unclaimed Intangible Property Amendment Act was going to do was say that all of the revenues and all of the resources in unclaimed property were going to revert to the government coffers.

The clearing the path that Bill 178 is supposed to do would suggest that there are many things the government could be doing that would clear the path.

*Interjections.*

**The Acting Speaker:** Order.

**Mrs Caplan:** The members are shouting, "We're fixing, we're changing, we're adjusting." I want to tell them that they did change something that was in place, and while it may have needed some amendment—and I tell people that the only things that are ever carved in stone in this place are the names of the members in the wall. Every piece of legislation evolves and changes over time as you see how it's working and you see what kinds of amendments are needed to streamline it, and I am the first one to understand and acknowledge that.

However, you had the family support plan that had been introduced. It was working, and it needed some fine-tuning. Instead of just fine-tuning it, what you did in 1992 was bring in automatic payroll deduction. But you didn't do it just for those who were in arrears or delinquent. You added 25% to the caseload of government by including those where there were no compliance problems. I want to point out to the members opposite that that's not streamlining; that's not cutting red tape. That is adding administrative and bureaucratic burden where there is no need.

I personally believe that it was done to make your compliance numbers look better within the support plan itself, because the numbers were not very good. But adding 25% where there were no problems at all did not fix the problems that were there. It added an administrative burden to many individuals where there was no problem to begin with.

We have heard the stories of the municipal discussions around disentanglement. I was one who was a proponent for disentanglement discussions. When you're talking about clearing the path, eliminating duplication, that was a missed opportunity. It was a missed opportunity because the NDP government would not, in the discussions on disentanglement, give the security that nobody would benefit, that it was not a grab by the provincial treasury and that it was not downloading on to the municipalities, and that's why disentanglement fell apart.

In my own view, there is a need for disentanglement; there is a need to end the duplication between layers of



government, whether it is federal or provincial or municipal. There are many areas where you see the kind of duplication of activity between levels of government. At the municipal level, not only do you have the local municipalities, you also have regions frequently doing the same thing that the province is doing or that the federal government is doing. Disentanglement is about sorting all of that out.

I would say to the government I was very disappointed when the first efforts at disentanglement fell apart. In the last four years you have done nothing in the area of disentanglement to streamline, to cut red tape, to clear the path and to eliminate clearly the kind of duplication that is costing taxpayers far more than anyone realizes. When the government brings forward a bill on efficiency of government that doesn't contain anything about disentanglement or streamlining of services between layers of government, it is deficient.

We know the municipalities have requested further discussions on disentanglement. Most municipalities understand the need and are more than willing to come to the table. The Association of Municipalities of Ontario wants as a premise, as a basic starting point for those discussions, a guarantee from the province that there will not be downloading of responsibility, and therefore financial responsibility, to the municipalities. I think that is a very reasonable request from the municipalities.

I was surprised that when they asked for this kind of municipal charter that would enshrine municipalities as legitimate elected governments and prohibit the kind of unilateral provincial decisions that would infringe on municipal matters without consultation—I'll admit today that we were guilty of some of those same attitudes, and in hindsight I've learned a lot from the past, but it's unfortunate that the NDP didn't learn that it is possible today to have a relationship with the municipalities which is based on mutual respect and mutual understanding.

I think the kind of municipal charter the municipalities have requested is reasonable, and I was surprised that Bob Rae said he would refuse to even consider it before there were any discussions about streamlining and disentanglement between the levels of government. I didn't understand why he would take that position unless their worst fears about further downloading were valid.

I would note as well that the municipalities understand what Harris is proposing, what the PCs are proposing in the Conservative document. What they are proposing is a massive downloading of financial responsibility to the municipalities as part of their cuts.

**Mr Harnick:** Untrue. You'd better read it.

**Mrs Caplan:** Madam Speaker, I'm telling you the way the municipalities have seen it, and I see I've provoked the Conservative caucus.

**Mr Harnick:** The biggest downloaders on municipalities were David Peterson, Lyn McLeod, Elinor Caplan. Remember all that Liberal downloading at the same time as tax increases, spending increases?

**The Acting Speaker:** The member for Willowdale, come to order.

**Mrs Caplan:** In the few minutes remaining, I would like to point out that in the matter of streamlining there are many areas within provincial jurisdiction alone where I think the province could be doing a much better job. None of that is included in Bill 175, but there is an opportunity for me to point that out.

Bill 175, while it talks about efficiency, will not end the problem of people receiving welfare cheques that they are not entitled to or the fact that welfare cheques go out in the amount of \$2.50. Those are the kinds of things. We know it costs the provincial government about \$35 for every cheque it issues, and yet we see the provincial government sending out cheques for minor amounts of money. That is a problem that I think technology can solve, and I haven't seen the government—

**Mr Hope:** Why didn't you fix all that?

**Mrs Caplan:** It's interesting that the member opposite is asking why I didn't fix all of this. I want to point out to him that it was the NDP government that cancelled the computers at the Ministry of Health. Because those computers were cancelled, we saw issues of health fraud continue simply because the government cancelled the computers that would have helped to deal with that problem. I am a little sensitive when the member opposite talks about technology, because the NDP government has not proceeded.

*Interjection.*

**The Acting Speaker:** Order. Each member in this House will have a chance to comment on this member's speech at the end of the speech, and I hope you will take that opportunity. Please continue.

**Mrs Caplan:** To close this debate this evening, I would like to once again ask the minister if she will remove the amendments to the Advocacy Act from this legislation. They are controversial, they are not house-keeping. We do not support the model the government has chosen. There is enough controversy around this that it does not qualify for the omnibus bill as defined by the government, and I would ask her if she is going to be true to her word that everything contained in this bill is non-controversial, that everything in this bill is minor amendments, long-overdue housekeeping type of amendments. I would like to know whether the minister will agree to remove all those amendments which empower the Advocacy Commission from this legislation.

I will be continuing my remarks when the House is next in session to consider Bill 175, and whether or not I pursue the matter further will depend upon whether the minister has answered my question about the amendments to the Advocacy Act as contained in Bill 175.

**The Acting Speaker:** Debate on second reading of Bill 175 will resume later. It being 6 o'clock, this House stands adjourned until 1:30, Tuesday, November 1. I hope everyone has a pleasant Hallowe'en.

*The House adjourned at 1802.*

**LEGISLATIVE ASSEMBLY OF ONTARIO  
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

**Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD**

**Speaker/Président: Hon/L'hon David Warner**

**Clerk/Greffier: Claude L. DesRosiers**

**Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries**

**Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller**

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<b>Allen, Hon/L'hon Richard</b>	Hamilton West/-Ouest	ND	Minister of Housing / ministre du Logement
Arnott, Ted	Wellington	PC	Vice-Chair, standing committee on estimates / Vice-Président du Comité permanent des budgets des dépenses
Beer, Charles	York-Mackenzie	L	Chair, standing committee on social development / Président du Comité permanent des affaires sociales
Bisson, Gilles	Cochrane South/-Sud	ND	parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs / adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones
<b>Boyd, Hon/L'hon Marion</b>	London Centre/-Centre	ND	Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Bradley, James J.	St Catharines	L	opposition House leader / chef parlementaire de l'opposition
Brown, Michael A.	Algoma-Manitoulin	L	Chair, standing committee on general government / Président du Comité permanent des affaires gouvernementales
<b>Buchanan, Hon/L'hon Elmer</b>	Hastings-Peterborough	ND	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Callahan, Robert V.	Brampton South/-Sud	L	
Caplan, Elinor	Oriole	L	opposition deputy House leader / chef parlementaire adjoint de l'opposition
Carr, Gary	Oakville South/-Sud	PC	Progressive Conservative deputy House leader / chef parlementaire adjoint du Parti progressiste-conservateur
Carter, Jenny	Peterborough	ND	parliamentary assistant to Minister of Citizenship / adjointe parlementaire de la ministre des Affaires civiques
<b>Charlton, Hon/L'hon Brian A.</b>	Hamilton Mountain	ND	Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et délégué à l'Assurance-automobile
Chiarelli, Robert	Ottawa West/-Ouest	L	
<b>Christopherson, Hon/L'hon David</b>	Hamilton Centre/-Centre	ND	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
<b>Churley, Hon/L'hon Marilyn</b>	Riverdale	ND	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Cleary, John C.	Cornwall	L	
Conway, Sean G.	Renfrew North/-Nord	L	Deputy Leader of the Opposition / chef adjoint de l'opposition
<b>Cooke, Hon/L'hon David S.</b>	Windsor-Riverside	ND	Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'oeuvre
Cooper, Mike	Kitchener-Wilmot	ND	parliamentary assistant to Minister of Labour; Vice-Chair, standing committee on resources development / adjoint parlementaire du ministre du Travail, Vice-Président du Comité permanent du développement des ressources



Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
<b>Coppen, Hon/L'hon Shirley</b>	Niagara South/-Sud	ND	Minister of Labour / ministre du Travail
Cordiano, Joseph	Lawrence	L	Chair, standing committee on public accounts / Président du Comité permanent des comptes publics
Crozier, Bruce	Essex South/-Sud	L	
Cunningham, Dianne	London North/-Nord	PC	
Curling, Alvin	Scarborough North/-Nord	L	opposition deputy whip / whip adjoint de l'opposition
Dadamo, George	Windsor-Sandwich	ND	parliamentary assistant to Minister of Transportation / adjoint parlementaire du ministre des Transports
Daigeler, Hans	Nepean	L	Vice-Chair, standing committee on general government / Vice- Président du Comité permanent des affaires gouvernementales
Duignan, Noel	Halton North/-Nord	ND	parliamentary assistant to Minister of Consumer and Commercial Relations / adjoint parlementaire de la ministre de la Consommation et du Commerce
Eddy, Ron	Brant-Haldimand	L	Vice-Chair, standing committee on social development / Vice-Président du Comité permanent des affaires sociales
Eves, Ernie L.	Parry Sound	PC	Progressive Conservative House leader / chef parlementaire du Parti progressiste-conservateur
<b>Farnan, Hon/L'hon Mike</b>	Cambridge	ND	Minister of Transportation / ministre des Transports
Fawcett, Joan M.	Northumberland	L	
Fletcher, Derek	Guelph	ND	parliamentary assistant to Minister of Citizenship / adjoint parlementaire de la ministre des Affaires civiques
Frankford, Robert	Scarborough East/-Est	ND	
Gigantes, Evelyn	Ottawa Centre/-Centre	ND	
Grandmaître, Bernard	Ottawa East/-Est	L	
<b>Grier, Hon/L'hon Ruth</b>	Etobicoke-Lakeshore	ND	Minister of Health / ministre de la Santé
Haeck, Christel	St Catharines-Brock	ND	government whip; Chair, standing committee on regulations and private bills / whip du gouvernement, Présidente du Comité permanent des règlements et des projets de loi privés
<b>Hampton, Hon/L'hon Howard</b>	Rainy River	ND	Minister of Natural Resources / ministre des Richesses naturelles
Hansen, Ron	Lincoln	ND	Chair, standing committee on the Legislative Assembly / Président du Comité permanent de l'Assemblée législative
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	ND	First Deputy Chair of the Committee of the Whole House; Vice- Chair, standing committee on administration of justice / Premier Vice-Présidente du Comité plénier de l'Assemblée législative, Vice-Présidente du Comité permanent de l'administration de la justice
Harris, Michael D.	Nipissing	PC	leader of the Progressive Conservative Party / chef du Parti progressiste-conservateur
Haslam, Karen	Perth	ND	
Hayes, Pat	Essex-Kent	ND	parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales
Henderson, D. James	Etobicoke-Humber	L	
Hodgson, Chris	Victoria-Haliburton	PC	
Hope, Randy R.	Chatham-Kent	ND	parliamentary assistant to Minister of Community and Social Services / adjoint parlementaire du ministre des Services sociaux et communautaires
<b>Huget, Hon/L'hon Bob</b>	Sarnia	ND	government whip; Minister without Portfolio, Ministry of Economic Development and Trade / whip du gouvernement; ministre sans portefeuille, ministère du Développement économique et du Commerce

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Jackson, Cameron	Burlington South/-Sud	PC	Chair, standing committee on estimates / Président du Comité permanent des budgets des dépenses
Jamison, Norm	Norfolk	ND	parliamentary assistant to Minister of Economic Development and Trade / adjoint parlementaire de la ministre du Développement économique et du Commerce
Johnson, David	Don Mills	PC	
Johnson, Paul R.	Prince Edward- Lennox-South Hastings / Prince Edward-Lennox- Hastings-Sud	ND	parliamentary assistant to Minister of Economic Development and Trade; Chair, standing committee on finance and economic affairs / adjoint parlementaire de la ministre du Développement économique et du Commerce, Président du Comité permanent des finances et des affaires économiques
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	ND	government whip; parliamentary assistant to Minister of Agriculture, Food and Rural Affairs / whip du gouvernement, adjoint parlementaire du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Kormos, Peter	Welland-Thorold	ND	
Kwinter, Monte	Wilson Heights	L	
<b>Lankin, Hon/L'hon Frances</b>	Beaches-Woodbine	ND	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
<b>Laughren, Hon/L'hon Floyd</b>	Nickel Belt	ND	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Lessard, Wayne	Windsor-Walkerville	ND	parliamentary assistant to Minister of Environment and Energy / adjoint parlementaire du ministre de l'Environnement et de l'Énergie
Mackenzie, Bob	Hamilton East/-Est	ND	
MacKinnon, Ellen	Lambton	ND	Vice-Chair, standing committee on regulations and private bills / Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Mahoney, Steven W.	Mississauga West/-Ouest	L	opposition chief whip / whip en chef de l'opposition
Malkowski, Gary	York East/-Est	ND	parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Mammoliti, George	Yorkview	ND	parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels
Marchese, Rosario	Fort York	ND	parliamentary assistant to the Premier; parliamentary assistant to Minister of Intergovernmental Affairs; Chair, standing committee on administration of justice / adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales, Président du Comité permanent de l'administration de la justice
Marland, Margaret	Mississauga South/-Sud	PC	Chair, standing committee on government agencies / Présidente du Comité permanent des organismes gouvernementaux
Martel, Shelley	Sudbury East/-Est	ND	Chair, standing committee on resources development / Président du Comité permanent du développement des ressources
Martin, Tony	Sault Ste Marie / Sault-Sainte-Marie	ND	parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
<b>Mathysen, Hon/L'hon Irene</b>	Middlesex	ND	Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs
McClelland, Carman	Brampton North/-Nord	L	
McGuinty, Dalton	Ottawa South/-Sud	L	
McLean, Allan K.	Simcoe East/-Est	PC	Vice-Chair, standing committee on government agencies / Vice-Président du Comité permanent des organismes gouvernementaux
McLeod, Lyn	Fort William	L	Leader of the Opposition / chef de l'opposition
Miclash, Frank	Kenora	L	opposition deputy whip / whip adjoint de l'opposition



Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Mills, Gordon	Durham East/-Est	ND	parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels
Morin, Gilles E.	Carleton East/-Est	L	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
Morrow, Mark	Wentworth East/-Est	ND	
Murdoch, Bill	Grey-Owen Sound	PC	
Murdock, Sharon	Sudbury	ND	parliamentary assistant to Minister of Labour / adjointe parlementaire du ministre du Travail
Murphy, Tim	St George-St David	L	
North, Peter	Elgin	Ind	
O'Connor, Larry	Durham-York	ND	parliamentary assistant to Minister of Health / adjoint parlementaire de la ministre de la Santé
O'Neil, Hugh	Quinte	L	
O'Neill, Yvonne	Ottawa-Rideau	L	
Offer, Steven	Mississauga North/-Nord	L	
<b>Owens, Hon/L'hon Stephen</b>	Scarborough Centre/-Centre	ND	Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation
Perruzza, Anthony	Downsview	ND	parliamentary assistant to Chair of the Management Board of Cabinet / adjoint parlementaire du président du Conseil de gestion
<b>Philip, Hon/L'hon Ed</b>	Etobicoke-Rexdale	ND	Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto
Phillips, Gerry	Scarborough-Agincourt	L	
<b>Pilkey, Hon/L'hon Allan</b>	Oshawa	ND	Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales
Poirier, Jean	Prescott and Russell / Prescott et Russell	L	
Poole, Dianne	Eglinton	L	Vice-Chair, standing committee on public accounts / Vice-Présidente du Comité permanent des comptes publics
<b>Pouliot, Hon/L'hon Gilles</b>	Lake Nipigon / Lac-Nipigon	ND	Minister of Northern Development and Mines, minister responsible for francophone affairs / ministre du Développement du Nord et des Mines, ministre délégué aux Affaires francophones
<b>Rae, Hon/L'hon Bob</b>	York South/-Sud	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
Ramsay, David	Timiskaming	L	
Rizzo, Tony	Oakwood	ND	Chair, standing committee on the Ombudsman / Président du Comité permanent de l'ombudsman
Runciman, Robert W.	Leeds-Grenville	PC	Progressive Conservative chief whip / whip en chef du Parti progressiste-conservateur
Ruprecht, Tony	Parkdale	L	
<b>Silipo, Hon/L'hon Tony</b>	Dovercourt	ND	Minister of Community and Social Services / ministre des Services sociaux et communautaires
Sola, John	Mississauga East/-Est	Ind	
Sorbara, Gregory S.	York Centre/-Centre	L	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West/-Ouest	PC	
Sullivan, Barbara	Halton Centre/-Centre	L	
Sutherland, Kimble	Oxford	ND	parliamentary assistant to Minister of Finance / adjoint parlementaire du ministre des Finances
<b>Swarbrick, Hon/L'hon Anne</b>	Scarborough West/-Ouest	ND	Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Tilson, David	Dufferin-Peel	PC	

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Turnbull, David	York Mills	PC	Progressive Conservative deputy whip / whip adjoint du Parti progressiste-conservateur
Villeneuve, Noble	S-D-G & East Grenville / S-D-G et Grenville-Est	PC	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
<b>Ward, Hon/L'hon Brad</b>	Brantford	ND	Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances
<b>Wark-Martyn, Hon/L'hon Shelley</b>	Port Arthur	ND	Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé
<b>Warner, Hon/L'hon David</b>	Scarborough-Ellesmere	ND	Speaker / Président
Waters, Daniel	Muskoka-Georgian Bay	ND	parliamentary assistant to Minister of Culture, Tourism and Recreation / adjoint parlementaire de la ministre de la Culture, du Tourisme et des Loisirs
Wessenger, Paul	Simcoe Centre/-Centre	ND	parliamentary assistant to Minister of Health; Vice-Chair, standing committee on the Legislative Assembly / adjoint parlementaire de la ministre de la Santé, Vice-Président du Comité permanent de l'Assemblée législative
White, Drummond	Durham Centre/-Centre	ND	parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales
<b>Wildman, Hon/L'hon Bud</b>	Algoma	ND	Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones
<b>Wilson, Hon/L'hon Fred</b>	Frontenac-Addington	ND	Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement
Wilson, Gary	Kingston and The Islands / Kingston et Les Îles	ND	parliamentary assistant to Minister of Housing; Vice-Chair, standing committee on the Ombudsman / adjoint parlementaire de la ministre de Logement, Vice-Président du Comité permanent de l'ombudsman
Wilson, Jim	Simcoe West/-Ouest	PC	
Winninger, David	London South/-Sud	ND	
Wiseman, Jim	Durham West/-Ouest	ND	parliamentary assistant to Chair of the Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs / adjoint parlementaire du président du Conseil de gestion, Vice-Président du Comité permanent des finances et des affaires économiques
Witmer, Elizabeth	Waterloo North/-Nord	PC	
Wood, Len	Cochrane North/-Nord	ND	parliamentary assistant to Minister of Natural Resources / adjoint parlementaire du ministre des Richesses naturelles
<b>Ziemba, Hon/L'hon Elaine</b>	High Park-Swansea	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Vacant	Bruce		
Vacant	Kitchener		
Vacant	Markham		
Vacant	St Andrew-St Patrick		



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Bill Murdoch, David Ramsay, Chris Stockwell, Len Wood  
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**Règlements et projets de loi privés**

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Anthony Perruzza, Tony Ruprecht  
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**Resources development/Développement des ressources**

Chair/Président: Shelley Martel  
Vice-Chair/Vice-Président: Mike Cooper  
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Gordon Mills, Sharon Murdock, Steven Offer,  
David Turnbull, Daniel Waters, Len Wood  
Clerk/Greffière: Tannis Manikel

**Social development/Affaires sociales**

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Jenny Carter, Dianne Cunningham, Evelyn Gigantes,  
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These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

Ces listes figurent dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.







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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 1 November 1994

# Journal des débats (Hansard)

Mardi 1 novembre 1994

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers



Président  
L'honorable David Warner

Greffier  
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*50th anniversary*

**1944–1994**

*50<sup>e</sup> anniversaire*



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 1 November 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 1 novembre 1994

*The House met at 1330.*

*Prayers.*

## MEMBERS' STATEMENTS

### LABOUR LEGISLATION

**Mr David Ramsay (Timiskaming):** I'm pleased to be back in the Legislature to stand in my place and make a point to the Minister of Labour in regard to Bill 40.

This summer we saw in Kirkland Lake, a town in my riding, the Canadian Tire store organized. I'm certainly all in favour of that if that's what the workers would want, but unfortunately 19 of the 30 workers of the store went to a hearing in Toronto at the Ontario Labour Relations Board wanting to have their decision to certify the union rescinded.

I bring this up because it just shows a very basic flaw in Bill 40: Where employees feel that their job security had been threatened or that they had been intimidated to sign cards, they don't have any recourse.

Our solution here in the Liberal caucus would be that anybody contemplating organizing a workplace and organizing a drive, as certainly is their right, should allow the workers to have a secret ballot vote. This was not allowed in this case by the board. I think it's a fundamental flaw in this bill and I ask the newly appointed Minister of Labour to reconsider that part of Bill 40.

### JUSTICE SYSTEM

**Mr Charles Harnick (Willowdale):** People in the legal profession had hoped that when this government came to power it would repair some of the mistakes made by the previous Liberal government. Unfortunately, this government has not been up to the task.

This government and the Liberal government before it came up with a plan to get rid of the masters of the Ontario Court of Justice. Masters of the Ontario Court of Justice look after pre-trial motions and civil matters. In Metro Toronto, they do construction lien trials and family law matters. Virtually every day of the week they deal with approximately 100 to 150 matters. The problem is, who is going to look after these motions once the masters have been eliminated? Laypersons cannot perform this function and judges plainly do not have the time.

In Toronto, there are currently six full-time and seven supernumerary masters. This December, the seven supernumerary masters will have reached their maximum allowable annual incomes. The six full-time masters will be responsible for virtually hundreds of motions per day from January to April. The justice system will be so understaffed that massive delays will result.

To quote a study done by the Canadian Bar Association on the situation, "The situation has become desperate." The study continues on to state that the administration of justice in Ontario has been substantially impaired

by neglect and negative measures by a succession of attorneys general.

I urge the government to correct its mistakes and the mistakes of its predecessors. It is time that this government listened to those individuals who work in the justice system and heeded their pleas for the reinstatement of masters to Ontario's justice system.

### CASTLE KILBRIDE

**Mr Mike Cooper (Kitchener-Wilmot):** I rise today to inform the members of this Legislature about the completion of a Jobs Ontario Community Action project which took place in my riding. It was the official opening of Castle Kilbride and the administration complex in Wilmot township.

The opening gala was held Saturday, September 24, while the official opening was held on Sunday, September 25. This project is one, as you may be aware, that the whole community embraced with enthusiasm, creativeness and ambitiousness. For the community, the weekend's events were a culmination of much hard work, and the supporters were there in full force.

Castle Kilbride stands as a monument to our heritage and traditions and the commitment that the people of Wilmot township have made to preserve their heritage. Special commendation should go to His Worship Mayor Lynn Myers and all of the council.

Castle Kilbride was built in 1877 and was a showplace for the area. The stately home is Italianate in design and incorporates many unique features, and some original features are still in its rooms.

To appreciate fully the artistry in the castle, you will want to see for yourself the brilliance of the restored works. Plan now to visit Castle Kilbride. You'll be very pleased with what you'll see.

I'd also like to take this opportunity to present to the legislative library a copy of a book published by Paul Knowles called *Castle Kilbride: The Jewel of Wilmot Township*, understanding full well that many members won't be able to attend.

### EDUCATION PROGRAM EVALUATION

**Mr Charles Beer (York-Mackenzie):** I've yet another tale of mixed messages coming from this government. This time it's the Minister of Education and Training and the Premier.

Last week the minister was clearly pleased when he was releasing the results of the grade 9 testing. He was quoted as saying: "As a report card at the end of this school year, these results are encouraging. They show that our school system is providing students with the essential literacy skills at the start of their secondary education." But within 24 hours the Premier blasted away at the results, saying, "It's just not good enough to say,



'Well, everybody got a C, and that's great.'"

The minister finds the test results encouraging and acceptable; the Premier finds them discouraging and unacceptable.

Make no mistake about it, the minister and the Premier have left teachers holding the bag on this one as they try to explain the results to parents. Parents, on the other hand, are left wondering how well their children really are doing in school.

The last time I looked at the membership of cabinet, Dave Cooke was the Minister of Education and Training, but Bob Rae, the member for York South, was the Premier, the head of this government. Surely as Premier he has had and continues to have the authority to change the system and address the very problems which he identified.

It's clear to teachers, school boards and parents that after four long years this government still can't get it straight.

#### G&B HOUSE

**Mr Jim Wilson (Simcoe West):** On behalf of my colleagues the member for Grey-Owen Sound, Mr Murdoch, the member for Dufferin-Peel, Mr Tilson, and the member for Wellington, Mr Arnott, I rise on behalf of G&B House, which is a recovery home for men and is located in Owen Sound.

Since 1975, G&B House has been providing long-term residential care for men with substance abuse and alcohol problems in Grey, Bruce, Dufferin, Wellington and Simcoe counties. G&B House has also been treating men who have been referred to them from as far away as Hamilton, London and Toronto.

The facility now finds itself in trouble because the treatment dollars have not followed the patients who have been referred to G&B House from southern Ontario. It is critical that the Ministry of Health reallocate resources to G&B House for the patients who are referred to the facility from outside its normal catchment area.

If G&B House is forced to close its doors, the costs to patients, the health care system and to society as a whole will be tremendous. When men with alcohol and substance abuse problems who are reaching out for help cannot turn to G&B House, they will find themselves back in the correctional facilities or on welfare or in a hospital bed or even dead. At the end of the day, the costs to taxpayers, to family members and to friends of men who are trying to get help for a serious affliction will be much greater if the government turns its back on G&B House.

I'm urging this government to reallocate resources and to save G&B House, which is a valuable resource for the people of our area and the people of the province.

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#### NATIVE PEOPLE

**Ms Jenny Carter (Peterborough):** I want to respond to statements made recently by the leader of the third party as reported in the Peterborough Examiner. My experience of the first nations community in my own riding is the opposite of the member for Nipissing's.

The community at Curve Lake makes an enormously valuable contribution to the local community and economy, especially in tourism and culture. The Curve Lake gallery boasts one of the finest collections of first nations art in the country. Curve Lake recently opened a beautiful mall, sure to attract both locals and tourists. First nations people across the province, both on and off reserve, enrich all our lives through their hard work, dedication and openness to sharing their cultural heritage with us all.

I want members of the House to know that the member for Nipissing has deeply insulted the first nations community in my riding and elsewhere and has offended many others with his repugnant remarks. I spoke with Chief Knott of Curve Lake yesterday. He said to me, "It is outright disgraceful that a leader of a political party would make statements like this."

The leader of the third party has referred to the members of a specific community, using provocative and offensive language. He has generalized and suggested that first nations people "stay at home and do nothing." The member for Nipissing has abused his position as a public figure by making irresponsible and intolerant remarks. He has belittled and violated the integrity of first nations communities in this province. The leader of the third party owes Ontario's first nations peoples an apology.

#### PROGRESSIVE CONSERVATIVE PARTY

**Mr Steven W. Mahoney (Mississauga West):** Today marks the third anniversary of a day the Conservative Party would like everyone to forget. Three years ago today, the Conservative leader reached into his hat and unveiled his first attempt at an economic policy.

*Applause.*

**Mr Mahoney:** They may applaud. This document contained a long list of promises: promises to reduce fuel taxes, promises to cut the sales tax, and to dramatically increase spending on day care, agriculture and the environment. The promises turned out to be less than revolutionary, I say to my good friends. The platform was a bust; the Tories didn't even budge in the polls.

But that's okay. Mike Harris is the worst kind of politician. He simply said, "If you don't like these principles here, I have others." So the Conservative leader reached once again into his hat and he pulled out a new book, an American book, which contained a whole new series of promises. It didn't matter to him that his American writers forgot to include many of the promises he had made the first time. After all, they're just promises.

Now the Conservative leader is promising to drastically cut funding to vital services, from day care to agricultural funding, and he's promising to slash municipal transfers which pay for essential local services, from policing to our seniors. It's a hat trick that just won't fly. The people of Ontario deserve better.

#### DRINKING AND DRIVING

**Mr David Turnbull (York Mills):** I think the member should withdraw that last statement, since it was inaccurate.

Drunk driving caused the death of 568 people in 1992. Some 44% of all motor vehicle fatalities were caused by alcohol; 46.1% of all drivers killed were impaired by al-

cohol or had been drinking. Despite these grim statistics, the Attorney General has reduced money for drinking-driving programs. It would appear as if this government does not view drinking and driving crimes seriously.

The staff in the drinking-driving countermeasures office was reduced from nine to three during the Liberal term in office. Under this government, programs have been axed. The student summer Arrive Alive program that hired students to undertake important public awareness programs is gone. The grants for student groups that assist local chapters of OSAID have been cut within the last two years.

A list of approximately eight very stiff anti-driving-and-drinking initiatives has been prepared and is sitting on the desk of the Attorney General for approval. These include mandatory treatment for repeat offenders, car impoundment, mandatory pay programs to have licences reinstated. Many community groups like MADD have worked with the government to develop these and want the Attorney General to act now. Ontario needs to know that their Attorney General takes drinking and driving offences seriously and is prepared to take action.

JOBS ONTARIO TRAINING

**Ms Margaret H. Harrington (Niagara Falls):** Jobs are very important in my city of Niagara Falls. People want to work and be trained for jobs where they can use their skills.

I went to city council a week ago to tell them about Jobs Ontario Training. With me was Bea Clarke from Niagara College, the broker, and 108 local employers have hired through this program, large businesses such as Tony Zappitelli from the Sheraton Fallsview, small businesses such as Jeff Rose at Cascade Printing, all kinds of businesses.

Jobs Ontario Training is affecting all of our community. These are not make-work jobs; these are permanent, full-time jobs with an incredible 89% retention rate. This means a paycheque, not a welfare cheque, for many families in my city of Niagara Falls and 900 jobs across the Niagara region.

I went to Niagara Falls Public Library on Thursday, and as I walked in there were many people coming in with their résumés to register for Jobs Ontario Training. Maria Cadham, our local coordinator and a very, very helpful person, will be holding these registrations every Thursday at the library, from 3:30 to 4:30 from now until December 8.

The local chamber of commerce has published profiles of how this program has helped its small businesses, and now even the businesses are calling my office to see how they can get involved. Let's keep Jobs Ontario Training working for Niagara Falls.

STATEMENTS BY THE MINISTRY  
AND RESPONSES  
ONTARIO ECONOMY

**Hon Floyd Laughren (Minister of Finance):** Today, I present the Ontario finances for the second quarter of the current fiscal year. I am very pleased to report that our revised forecast shows the deficit for this year will fall by \$206 million.

This is the latest drop in a figure which, no matter how we measure it, has been falling consistently and sharply over the past two years. The decline in the 1994-95 deficit reflects the gathering strength of the Ontario economy, which is growing at a rate that outstrips our 1994 budget forecast.

Ontario led the country in economic growth in the second quarter of this year, turning in its best performance since 1988, at 8.4%. The pace of job creation is also the strongest in six years, providing Ontario with close to 160,000 new jobs in the past eight months, more than two thirds of them full-time. New jobs in Ontario account for one half the national total.

I would like to outline how this government has helped to create those jobs. We've encouraged businesses to take on new workers by cutting the health tax for the first year of employment. Our Jobs Ontario Training program has provided 60,000 job opportunities and helped workers in every industry to upgrade their skills. We have made it easier for the very important small and medium-sized firms in Ontario to get the funds they need in order to grow. Our aggressive capital programs are building the modern highways, the water treatment plants and other assets that all businesses need to be more productive.

There is a long-term payoff to our investments as well. The more productive structure of the province's economy will support strong growth over the next several years. In fact, it is the consensus of forecasters in the private sector that Ontario's economy will grow faster than any of the G-7 countries over the medium term.

We are seeing the benefits today. Thanks in part to the steps this government has taken, our factories are running again and our workers are back on the job. They are buying homes and spending their paycheques here in Ontario, spreading the gains into virtually every region and every industry in this province. We are seeing the impact of this growth in higher revenues for the year.

But the decline in the deficit reflects more than an economy on the move. It is also a measure of our commitment to put those extra revenues towards paying down the deficit.

We have set our course on spending and we are sticking to it. We are keeping our public services affordable now and for the future. We have worked long and hard to make sure we could do that without causing hardship to the people of this province.

1350

Now the economy is growing and we have a chance to reap the benefits of the careful way we've managed spending. Using our extra revenues today to pay down the deficit will save us millions of dollars in interest costs in the future. That will help us to make sure we can meet important priorities when we need to. It will make today's economic growth the foundation for a stronger future.

With this revised figure today, we have brought the deficit down even faster than we had committed to in the budget document. Our plan to balance the needs of people in Ontario—affordable services, economic growth and a more secure future—is clearly working.



**Mr Gerry Phillips (Scarborough-Agincourt):** The fundamental problem, unfortunately, with the Minister of Finance's report is that nobody in the province believes the numbers any more. I say to the Minister of Finance that I'm quoting from the Provincial Auditor, and what the Provincial Auditor says is, "Our general concern is that legislators and the public are not now being provided with the financial information required to help them understand and assess the financial position...."

The Provincial Auditor has been relentless in getting the province to change the way it reports the books. Two weeks ago, the 1993-94 numbers were finally changed to reflect the real numbers at the insistence of the Provincial Auditor. He wouldn't even sign the books until the province changed the numbers. But what we've got here today is, the government continues to report this year's numbers using the old accounting tricks.

The Provincial Auditor will not sign these numbers. The Provincial Auditor does not agree with these numbers. These numbers will never, ever be agreed to by the Provincial Auditor, yet the government continues to put the numbers out. That's the problem.

I said earlier we put out our report on the finances, and we said it is imperative that we have a common set of books. "We are going to go through a period of substantial confusion as we have two sets of books," one by the government and one by the person that we trust, the Provincial Auditor. We said: "1994-95 is the year when the economic recovery should be giving us better results. With two sets of books, it is going to be impossible to measure the success of the recovery."

We've got that problem today. Yes, the economy is ticking along. Nationally it's ticking along. But we don't have the required reporting mechanisms to know how well we're doing, and I say to the Minister of Finance, it is absolutely imperative that you change the way you report so the Provincial Auditor can agree with these numbers.

I will just give you two or three examples of things that are going to happen this year. The government is planning to do the same thing with ferries and major equipment that it did with GO trains last year. What they did with GO trains last year—and here's what the public accounts say: "At the request of the Ontario Minister of Finance, the authority"—this is the transit authority—"entered into a financing transaction." Under the terms, all the locomotives were sold for \$431 million and immediately repurchased from the same counterparty at the same price.

In other words, they were flipped immediately. They were sold to a Bermuda company and then immediately bought back, and what did the taxpayers get for that? The taxpayers paid a fee of \$4.271 million for that little flip. That's what it cost the taxpayers so the government could artificially show a lower deficit. And exactly the same thing is happening this year. We're going to see exactly the same thing where in one day they will sell it to somebody, buy it back the same day and pay a big fee.

Just across the road and around here, the government has "sold" all the government buildings: the Frost building, the Drew building, the Hepburn building, the

Mowat building. Then they immediately leased them back; showed that as revenue and immediately leased them back. They're planning to do exactly the same thing, and the auditor says that's wrong. Time and again, the auditor has pointed it out. Last year it was \$1.6 billion that he forced them to change the books.

What we've got today is a financial statement that says things are improving, and heaven knows, all of us are looking for good information, all of us are looking for positive information. I don't doubt that the economy is performing well, but you can't trust the numbers. You simply can't trust the numbers, and that's not me saying it, that's the Provincial Auditor.

Here's what we have. We have a set of numbers that only the government has faith in. The Provincial Auditor, the financial community, the opposition, say, "Listen, these aren't the right numbers." I would urge the Treasurer as strongly as I possibly can: The government is losing credibility with the financial community when the auditor refuses to sign the books unless you change them and then you continue to use a method that the auditor has no confidence in; and believe me, the auditor will not sign these books at the end of the year.

What we are faced with is the government coming forward with financial results today that I hope are indicative of the recovery. I hope revenues are going up, but nobody believes the numbers. We in the opposition will be insisting that the government bring forward the real numbers and that, secondly, as you prepare the budget for next year, it be in a way such that the Provincial Auditor finally can sign the books of this province without holding his nose.

**Mr David Johnson (Don Mills):** We're hearing today from the Minister of Finance that the Titanic isn't in such bad shape after all. The hole isn't quite as big—\$200 million less on the deficit of the province of Ontario.

But let me point out what really affects the taxpayers of the province of Ontario, and I'm looking at the 1994 budget, a document brought forward by the Minister of Finance himself. Under net financing for the province of Ontario in 1991-92, \$10.8 billion had to be borrowed to balance the books of the province of Ontario. In 1992-93, \$15.5 billion had to be borrowed. In 1993-94, \$11.5 billion had to be borrowed. In 1994-95, the minister tells us, to balance the books of the province of Ontario, it is \$8.3 billion.

The problem is, who do we believe? The minister says today \$8.3 billion. The Dominion Bond Rating Service says \$11.6 billion. The auditor of the province of Ontario says he doesn't agree with the accounting methods of the Minister of Finance. Indeed, the Minister of Finance has recently agreed to bring in a new accounting system, an accrual accounting system, and that system would dictate that the deficit this year is in excess of \$10 billion for the province of Ontario.

The debt now of the province of Ontario—and this is what really worries the people of Ontario—will be in excess of \$90 billion at the end of this fiscal year. The liabilities, as we speak here today, of Ontario exceed \$95 billion. By the end of this fiscal year, the liabilities of the province will be in excess of \$100 billion. The liabilities

of the people of the province of Ontario will be over \$100 billion. That's the mortgage we're passing on. That's the victory that's being claimed today by the Minister of Finance. That is a very hollow victory.

Talk about jobs. The Finance minister would talk about jobs in the province of Ontario. When this government took office in 1990, there were almost five million people employed in the province of Ontario, 4,937,000 people employed in the province of Ontario. At the end of this fiscal year, by the Minister of Finance's own accounts, there will be almost 100,000 fewer people employed in Ontario than when this government came into office. Should we boast about that? Should we boast about the Jobs Ontario program when we have fewer people employed today in the province of Ontario than we did when this government took office four years ago?

What is required? Instead of the hollow boasting we've heard today, what is required in the province of Ontario? (1) Call an election. If we want to restore confidence in the economy of Ontario, if we want to create jobs in the province of Ontario, call an election. (2) We need a solid program to address the problems facing us economically in Ontario. We need the Common Sense Revolution.

We know, and the business community tells us and the budget of the Minister of Finance tells us, that to create jobs we need to cut taxes. Cut the personal income tax by 30% in the province of Ontario. That's what the Common Sense Revolution calls for.

We know we have to cut expenditures in the province of Ontario from \$55 billion to \$49 billion, a reduction of \$6 billion. We need to eliminate the employer health tax for small business; we need to reduce the workers' compensation premiums; we need to freeze Ontario Hydro rates; we need to cut the red tape that's strangling business. If we're going to create jobs in the province of Ontario, these are the kinds of programs that are required.

We need to downsize all levels of government. The Common Sense Revolution calls for a downsizing of 15% of the size of the provincial government, some 13,000 staff members. These are the actions that are needed to create jobs and to balance the budget.

1400

**Mr Norman W. Sterling (Carleton):** On a point of order, Mr Speaker: I'd like to ask for unanimous consent to say a few words about a departed former member of the Legislature.

**The Speaker (Hon David Warner):** Agreed.  
RUSSELL DANIEL ROWE

**Mr Norman W. Sterling (Carleton):** It's with great sadness that I inform the Legislature of the passing of Russell Daniel Rowe, who represented Northumberland in this House from 1963 to 1981. He was a veteran pilot of the Second World War who served overseas with the Royal Canadian Air Force. He was a former teacher, successful businessman, community activist and politician.

Prior to becoming Speaker of this Legislature, Russell served as Chairman of the very controversial select committee on economic and cultural nationalism. It was at this time that he established himself as a political straight-shooter, showing no bias from the Chair. His

reputation served him well later when he became the Speaker of this Legislature in 1974.

His term as Speaker was during a period of great change. The office of Speaker had become much more onerous, as he was given the additional task of administering this Legislature, which had formerly been done by the Ministry of Government Services.

His term also encompassed a period of one of the weakest minority governments in Ontario's history. There was great concern expressed by members at that time that he was too mild-mannered to handle, as a 1974 Toronto Star article pointed out, the rowdiest Legislature in the country. However, the article also went along to describe him as a mild-mannered but fair politician, and that was the beauty of this man and the style he brought to the Speaker's chair. He was able to control the Legislature by relying on his integrity of being fair to all members of all parties in this House.

Even with a small minority PC government in 1975 to 1977, Russell Rowe was elected as a second-term Speaker and as a third-term Speaker.

As Speaker and MPP, Russell put the business of Parliament ahead of his party loyalty in the conviction that the Legislature existed to serve all people. Consequently he had the respect of his colleagues and the affection of his constituents. This respect did not diminish once he left public life.

After his retirement he continued to remain active in politics and volunteered his time for a wide range of community activities. Perhaps his hallmark, if one travels these halls and looks at his picture that is hung in this Legislature, one will notice, is his wonderful warm, friendly smile.

I spoke with his wife, Marjorie, recently and she pointed out that he enjoyed and loved his time in this Legislature. He never complained about his duties as an MPP or as a politician and the hard work that he fulfilled for his constituents.

On behalf of the Legislature, I want to express our sympathies and condolences to his wife, Marjorie, his six children, his 11 grandchildren and all of his friends in his home town of Cobourg who miss him so very much. We would also like to express our appreciation to Marjorie and his children for sharing him with us, with his community and with the people of Ontario. He served us well.

**Hon Brian A. Charlton (Government House Leader):** I did actually share Russell's last term here, from 1977 till 1981, and although I didn't get to see Russell as Speaker for very long, because he stepped down as Speaker shortly into that 1977-81 session, I did get to know Russell a little bit and found him to be, as in most of the stories I've seen written about him in the media, a very honest, straightforward, plain-talking and, in many respects, gentle man; not "gentleman" in the sense of the classic use of that word but gentle in his approach, both to people and to issues. He's one of those elected politicians who took the time both to speak his mind and to listen, something that today far too often we find missing in many of the things that go on in public life.



Russell did serve as the Speaker in this House from 1974 to 1977. As you know, sir, that's a particularly difficult and trying task, and for those of my colleagues, and there are a few left, who were here in the 1975-77 period it was a particularly rowdy period, with the first minority government after some 38 years of majority rule in this province. You, sir, having experienced some of the rowdiness in the last four years, have some sympathy, I would think, with the difficulty that Russell faced in trying to control the House and to ensure progress of the government legislative agenda.

Russell also, though, did double duty on a lot of occasions. In the early 1970s he was not only Deputy Speaker and Chair of the committee of the whole House, but he chaired the select committee on economic and cultural nationalism in Canada. Although again it was a little before my time, I recall reading about some of the work of that committee, which was very extensive, including a lot of travel both in Canada and around the world, and consumed a considerable amount of time and effort on the part of the members who served that committee.

I think it is a reflection of the kind of individual that Russell Rowe was, and it's a reflection of his ultimate contribution to the people of this province, a contribution that I think is reflected by many we've spoken about in the past, a contribution of personal self-sacrifice. Certainly it isn't a seeking of wealth as a result of his time here but a seeking of pride and sense of accomplishment for the work that he delivered on behalf of not only his own constituents in Northumberland but also the people of the province of Ontario.

It's with some pride that we stand and address remarks to Russell Rowe and to other members who have preceded us here because of the very substantial benefit that they've created, both for the system in this province and for the province we now have to deal with. It would have been much less a place to live in if it hadn't been for their efforts and their direction.

On behalf of the government, I wish to express my sympathies to Russell's family and to pay tribute to his career as a legislator and to his time as Speaker of the House and to again, as Norm so aptly put it, thank his family for having lent him to us for almost just shy of 20 years.

1410

**Mr Sean G. Conway (Renfrew North):** I want to, on behalf of my colleagues in the Liberal Party, associate ourselves with the words of the government House leader and the member for Carleton, Mr Sterling, in paying tribute to the public life of the late Russell Rowe. I want to do so with particular emphasis on the comments that have been made to me just in the last little while by my colleague Mrs Fawcett, the member for Northumberland who has succeeded to the late Mr Rowe's constituency, and Mr O'Neil, the member from the neighbouring constituency of Quinte.

Russ Rowe was the Speaker of this Legislature 20 years ago when Hugh O'Neil and I came here as newly minted members. We were sharing some of the memories of Mr Speaker Rowe and they are very happy and positive memories indeed.

John A. Macdonald once said that no man could be as honest as Sir John Carling looked. Russell Rowe was a happy, decent, sunny politician, and that's the way he looked. Earlier today I went to look at his official portrait on the lower west wing of this building, and for those of you who don't know the late Mr Speaker Rowe, you might go and take a look at the portrait. I don't think the portrait captures the essence of a truly sunny political personality, and all of us who have borne the pressures and the strains of public life know that it's not always easy to be happy. But Russell Rowe was what he appeared: a happy, decent, sunny politician and personality.

In fact I remember, Mr Speaker, on one of the very earliest days here when in 1975 we reconvened, as has been observed, in the first minority Parliament of over 30 years, Mr Speaker Rowe, sitting in your chair, trying to restrain the enthusiasms of Eddie Sargent. I want to tell you that was not an easy task, and in fact Eddie had on that occasion become somewhat anatomical in his references across the way. Eddie was happy too but unbridled, and Russ just had that gentle touch, and a firmness when required.

I must say, shortly thereafter and through much of that session, 1975 to 1977, he was left to arbitrate quite vigorous debates. I remember a couple between Darcy McKeough and Stephen Lewis where the real issue was varying colours—red, pink and blue. Mr Lewis and Mr McKeough were very vigorous and very significant debaters, and Mr Rowe kept a very even keel.

I see the Treasurer smiling because he's probably—he is the only one who would remember that famous select committee on economic and cultural nationalism. I had in fact forgotten that Russ Rowe was the Chair of that committee, and as I think has been mentioned by the government House leader, there has not been in 20 years anything like it, and I suspect not again in our lifetime will there be such a commission. In fact, the late Osie Villeneuve once told me that when that committee was doing important work, I think in Stockholm, they learned things about Swedish culture that they had not dreamt of.

But I simply want to say that Russ Rowe's political legacy is one of decency, commitment, public service. He really was a wonderful fellow. Those of us who knew him will remember him fondly and well, and on behalf of my caucus colleagues, we want to express to his wife, to his family and to his many friends our deep appreciation for an exemplary public life.

**The Speaker (Hon David Warner):** Speaker Rowe was the first Speaker under whom I served, and as has been described this afternoon, he had a great sense of fairness and a deep understanding of Parliament, and was indeed a kind and gentle person. It was a great privilege to serve in the House, especially as a new member under the leadership of a Speaker such as he.

The kind remarks that have been said this afternoon will be sent to the family of Speaker Russell Rowe.

ACCESS TO PUBLIC GALLERY

**Mr Cameron Jackson (Burlington South):** I rise in accordance with section 21(a) of our standing orders with respect to a matter of privilege. Yesterday, there were

approximately 250 to almost 300 individuals, members of the community at large, who presented themselves here at Queen's Park to sit in our public gallery.

During the course of the session, they were denied access to the public galleries. I consider this a serious matter and when it was brought to my attention, we responded. These were predominantly senior citizens and women workers who assist seniors, many of whom had been standing in line since 11 o'clock in order to be present for the Legislature sitting yesterday.

**Hon Floyd Laughren (Minister of Finance):** You did not organize it very well.

**The Speaker (Hon David Warner):** Order.

**Mr Jackson:** I want to apprise the Treasurer that I did not organize this meeting. In fact, it was a group of 35 senior citizens from the riding of Dovercourt, Italian senior citizens, to whom I made available the PC caucus office because they were barred access to the galleries. The current minister from Dovercourt presented himself to our caucus in order to have access to speak to those individuals.

My reason for raising this, Mr Speaker, is I'd like you to undertake an investigation as to why there were so many vacant and empty seats in the House yesterday when there were between 100 and 150 individuals standing outside waiting to get in. The Minister of Health made reference yesterday briefly to the fact that there were only 50 people in the House, and that would have not been a clear indication of the number of people who were present here yesterday and also would not be fair, given that people went home to hear that on television when in fact these individuals were barred access to the gallery.

I would respectfully request you investigate—

**The Speaker:** Order. The member for Burlington South first will know that he does not have a point of privilege. However, I appreciate the concern which he has brought to my attention and will endeavour to find a reply to the question which he raises.

#### ORAL QUESTIONS CANCER TREATMENT

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is for the Minister of Health. Minister, over the past year I have raised with you on at least two occasions the issue of access to cancer drugs in Ontario. I have specifically raised the issue of physicians obtaining approval for use of a drug known as GCSF for patients who are critically ill with cancer. Doctors and their patients in the past have encountered two significant problems in trying to access the drug.

First, it was taking many weeks in some cases to get approval. I understand that this issue has been resolved to a large degree.

The second concern was that the guidelines that are used to approve the use of the drug are too vague and, as a result of that vagueness, there appears to be inconsistency in the application.

Minister, I would ask today that you provide this House with an update on these two concerns and any

progress that you feel has been made in addressing them.

**Hon Ruth Grier (Minister of Health):** I'm aware that this is an issue that the Leader of the Opposition has raised before. As I responded to her then, the time that it takes for approval of applications for this drug, which I call Neupogen—GCSF I think is the word the Leader of the Opposition uses—has been significantly decreased. In fact, if people are not eligible under the guidelines, they can be told almost immediately. Each case is reviewed by the Drug Quality and Therapeutics Committee, and the guidelines are not vague. I think they're quite clear. We endeavour to inform people as quickly as possible because we certainly understand how important it is for patients to know whether this drug is going to be covered by the ministry.

**Mrs McLeod:** Minister, as you're aware, I gave notice earlier in the day that I would be today raising a very specific case where a patient apparently met the criteria for receiving the drug but was denied access to the drug. The patient is a young man in his 20s. He has cancer from which his physician believes that he can recover. However, he is critically ill and, his physician believes, in need of GCSF.

We understand that this is the major criterion for approving the drug: It is to be used to save a patient's life. It is to be part of a therapy which is potentially curative. But even though this case appears to meet that major criterion, the patient's physician has applied to your ministry for approval twice and has been turned down. Just recently the physician applied to the ministry again for approval.

I gave notice that I would be raising the case because quite clearly this is a devastating situation for the young man and for his family. His parents wish to travel here today because of their growing alarm about the refusal to approve the drug for their son and what that means for his chance for recovery.

Minister, having given you notice of the issue, can you offer us any explanation as to why a patient who apparently met the criterion for receiving this drug would be turned down?

**Hon Mrs Grier:** I very much appreciate the fact that the Leader of the Opposition's office did inform us that she would be raising questions about this drug today, but I think she also is very aware that as Minister of Health I'm not able to comment on a specific patient, a specific application.

In her first question she talked about the application of guidelines and approvals for payment of this expensive drug, a very necessary one to people who have cancer, and let me say to her that I think all of us, and particularly all of us who are parents, understand what it means to need a drug and not be able to obtain it. But I'm not a physician and neither is the Leader of the Opposition, and that's why there are guidelines, and those are developed by people who are experts in cancer treatment and who very clearly say, "These are the conditions under which a particular drug should be dispensed and should be covered." That is my responsibility as Minister of Health, to follow those guidelines.



**Mrs McLeod:** Minister, I guess I'm concerned that, having given notice of the question, you have not indicated that you're prepared at least to review the specific case and determine why the approval was not given. There were no reasons given for not approving the use of the drug. The physician applied for the use of the drug believing that his patient met the criteria for receiving approval. His professional opinion was supported by two other physicians who believed that this patient met the criteria for receiving approval for the drug. There is confusion, Minister, about the consistency with which the guidelines are being applied, and in the absence of clarity and the absence of explanation of when the drug is approved and when it's not approved, it clearly raises false expectations of hope, and I think that that's just not something that we can allow to happen.

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I would ask you, Minister, if you would be prepared to pursue this case, which I believe is an urgent one and which deserves a response, deserves some clarity. I raise the case because I believe that it does point to very serious inconsistencies in the way in which approval is being granted and the way in which the program is administered, so I would ask whether you would both pursue this particular case to determine why approval was not given and, as well, review the administration of the program so that we can be sure that people who need this lifesaving drug are able to get the approval and get it promptly.

**Hon Mrs Grier:** I'd be happy to ask my officials to review the specific case, but I have to say to the Leader of the Opposition I have a copy of the guidelines in front of me. They are very clear. There are some indications for use and there are circumstances in which this drug is not recommended. Those guidelines are prepared by the Ontario Cancer Treatment and Research Foundation. I know that the Leader of the Opposition has, on many occasions, quoted and supported the recommendations of the OCTRF. We consider ourselves very fortunate in this province to have institutions like OCTRF and OCI to give us advice in how to deal with cancer, and this government has put in place a cancer strategy and has devoted resources to cancer based on the recommendations of OCTRF.

I will certainly review this case, but I am very confident that we're getting the best advice that anyone in the world can get about cancer in this province.

**The Speaker (Hon David Warner):** New question.

**Mrs McLeod:** Mr Speaker, just to be clear, the minister has said that she will review the case and review it as well in terms of what it says about the administration of the guidelines, and I appreciate that.

#### FINANCIAL PROCEDURES

**Mrs Lyn McLeod (Leader of the Opposition):** I will make my second question to the Minister of Finance. I have not given him notice of this question, but I know it's an issue with which he is well aware.

In the past three years, we've been calling on this government to keep its books in a way that will give a clear and accurate picture of this province's finances. We

happen to believe that this government, and this government in a unique and truly creative way, has used clever accounting procedures in order to show lower expenditures and higher revenues as a way of understating its deficit.

Thanks to the Provincial Auditor, the NDP has now been forced to acknowledge that its 1993-94 deficit is \$10.8 billion, up from the budget figure of \$9.3 billion which the Minister of Finance reported in his last budget. But we could hardly believe our ears when, the very day that the auditor forced the government to acknowledge the true deficit figure in the past budget, the Finance minister said that he's going to continue to use the old accounting methods in his budget to estimate future deficits.

Minister, the auditor has said that your accounting practices give a false public impression of the true state of this province's finances. Why are you determined to keep playing the shell game?

**Hon Floyd Laughren (Minister of Finance):** I very much appreciate the question from the leader of the official opposition and the fact that she did not give me notice. I should say to her that it's particularly satisfying to have this question come from the Liberal opposition given some of their past shenanigans with keeping the books when they were the government.

There is one set of books in the province of Ontario. Those are the public accounts of the province of Ontario. There always has been, always will be, one set of books for the province of Ontario. It's never been anything different than that, never, ever, ever.

I should tell you, though, that since the public sector accounting and auditing board decided that all of the provinces across Canada should move on to one system called accrual and consolidation as opposed to the cash method that other governments here had followed forever, all of the provinces are moving in the same way we are.

I should tell the leader of the official opposition that six provinces all have their budgets reported differently from their public financial statements. That includes British Columbia, a New Democratic Party government; Newfoundland, a Liberal government; Nova Scotia, a Liberal government; Alberta, a Conservative government; Saskatchewan, an NDP government; and Manitoba, a Conservative government.

When you move from one system of reporting the way in which the auditor of the day wants things to be reported, of course there's a hiatus between the time you start that and the time you move to the new system.

#### Interjections.

**Hon Mr Laughren:** Well, if you'll listen, I'll explain. I have written to the auditor already and told him that in the budget for 1995-96, there will be a comparison of the accrual and consolidation system of reporting and the cash method of reporting. So there is nothing confusing except in the mind of the leader of the official opposition. There's nothing unusual.

**The Speaker (Hon David Warner):** Could the minister conclude his response, please.

**Hon Mr Laughren:** This government has been more

open and consultative about budget-making than any government in the history of this province.

**Mrs McLeod:** There is no confusion in my mind at all. I know that the auditor signed our books. Furthermore, I happen to recall that the auditor signed books that showed a balanced year-end budget that had all the operating and all the capital dollars in that balanced budget.

There's just no doubt in anybody's mind that the government engaged in these kinds of accounting procedures in order to make a desperate deficit situation look a little bit less desperate. The concern we want to raise today, because the auditor has demonstrated the truth of what we've been raising for the past three years, is that these kinds of games are played at a very real cost to the taxpayers of this province.

In this year's public accounts, we learned that the government's sale and leaseback of GO Transit will cost taxpayers \$4.3 million. I want to make clear what happened here. On March 31, the Toronto Area Transit Operating Authority sold GO Transit to a Bermuda company and then it leased the same trains back for approximately the same money. In other words, it was a break-even deal except for the fact that it cost taxpayers \$4.3 million in bankers' fees: \$4.3 million for a break-even deal.

Minister, will you admit that the leasing of GO Transit cost taxpayers \$4.3 million and will you at least commit to us today that you will abandon the practice of using taxpayers' dollars to finance break-even deals?

**Hon Mr Laughren:** Perhaps I should put the issue in a bit of context. When the critic for the official opposition first started to raise this matter, I thought, "Maybe I'd better do a little bit of checking," and I went back and guess what I discovered? When the Liberal government had a program called Homes Now, guess where they showed the borrowing for Homes Now? It wasn't on the budget, oh no: off-budget.

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They can stand in partisan antics and say that what we're doing is different from what everybody else has done, but that's simply not the case. When I went back and looked at the last two budgets prepared by the Treasurer of the day, Mr Nixon, guess what I found there? I found that if they had been operating under the same system we're moving to now, there would have been a substantial difference in the numbers that were reported. Of course when you move from one system to another, you have a different set of numbers; that should be a given, so the leader of the official opposition is simply wrong.

When it came to the sale and saleback of the GO Transit rolling stock, I'll go back and check my numbers, but my information was that there was a saving of over \$1 million in that sale and saleback. Now, for the leader of the official opposition—

**The Speaker:** Could the minister conclude his response, please.

**Hon Mr Laughren:** —a million dollars may not be worth saving for the taxpayers of the province of Ontario. We think that is worth saving.

**Mrs McLeod:** I think when there is no answer, you revert to a revisionist version of history, which is really the substance of the Treasurer's answer.

The question was whether or not the GO Transit deal came at a cost of \$4.3 million to Ontario taxpayers, as was revealed in the public accounts committee. We will wait for an answer from the Treasurer, but I raise the issue because it's just one more example of the kind of shell game the government has been playing to make the deficit look lower than it actually is. In this case, we believe it cost the taxpayers \$4.3 million, and that's why we're amazed that the Treasurer keeps saying he wants to keep playing the game.

Given the fact that the Finance minister appears determined to continue with this approach to reporting the province's finances, let's see where that leaves us with this year's budget. We figure that with the new accounting changes, the 1994-95 deficit is likely at least \$1.5 billion higher than the \$8.5 billion you projected in this year's budget, or what has now become \$8.3 billion. You may want to deny it, Treasurer, but because of your refusal to use the proper accounting practices in figuring out the budget figures, nobody really knows what the deficit will be this year.

In the interest of reassuring financial markets and Ontario's taxpayers, will you release a true estimate of the province's 1994-95 budget deficit based on the accounting practices that the auditor has called for?

**Hon Mr Laughren:** First of all, the auditor just reported on the 1993-94 set of books and he approved that set of books in an unqualified way; absolutely no qualifying statements whatsoever. I would say to the leader of the official opposition that we are doing absolutely everything the Provincial Auditor wants us to do. We are reporting the books on the new system of accrual and consolidation. The budget is not the set of books. How often does the leader of the official opposition have to be told that a budget is a projection—

*Interjections.*

**The Speaker:** Order.

**Hon Mr Laughren:** If you don't want to listen, I guess there's no sense explaining, but I can tell you that there's not an accountant in the world who would say that a budget, which is a projection of what you intend to do that year, is an audited set of books. No auditor audits the budget. The auditor audits the public financial statements of the province, and he signed it off, 100% pure. There is no difference whatsoever between what the auditor wants us to do and what we're doing. Just as in those other provinces that are moving from one system to another, Ontario is as well. There's absolutely nothing unusual about that.

#### MINISTRY OF HEALTH SPENDING

**Mr Michael D. Harris (Nipissing):** My question's to the Minister of Health, if I could have a page send one of these over to the Minister of Health, please.

Recently, your ministry couriered 500 of the forms that I have just sent over to you to Dr Ockenden of the Hamilton Civic Hospital. This form is a laboratory requisition that Dr Ockenden, as the emergency room



physician, says he has no use for whatsoever. How many of these forms were sent out to doctors who do not need them, and at what cost to taxpayers and to our health care system?

**Hon Ruth Grier (Minister of Health):** It is a blank form that is called a laboratory requisition and has a doctor's name in the corner, presumably for use by the physician. I don't know how many were sent out; I don't know at what cost. If the leader of the third party doesn't include that in the preamble to his next question, I will endeavour to find out as soon as possible.

**Mr Harris:** Could I have a few pages take these over.

Minister, I have been informed so far of at least 56 doctors who were couriered these eight-pound cartons of forms, with their name already printed on them, who tell me they have no use for them. In fact, I have 28 boxes of these forms that they asked me to return to you in person in the interest of saving money.

A courier company we contacted estimated the courier cost alone to send these to all Ontario doctors at the super-duper reduced government volume rate would be \$300,000. The real clincher is, though, that when doctors called your ministry to ask, "What do we do with these unnecessary forms that we don't want?" they were told to shred them. How can you justify this cavalier and wasteful attitude from your ministry at a time when health care dollars are so precious?

**Hon Mrs Grier:** I will certainly endeavour to get the facts. I'm not sure I am getting the facts in the preamble to the second question. Never having seen these before, it appears to me as though, in anticipation of the fact that doctors are likely to request tests from a laboratory, they were sent, in advance, blank forms that would enable them to do that. Their names were on them, including their correct practitioner number, presumably to avoid mistakes. Of course, if a doctor's name is on a blank form, that form cannot be used by any other physician and the only course is to waste them. But if you're telling me there are doctors out there who don't intend to requisition tests from a laboratory, then I would agree with you that they do not need these forms and I will assure you that they will not be sent them in the future.

**Mr Harris:** Why were they sent them in the first place when nobody asked for them? Minister, these forms come from Data Business Forms Ltd. Last year alone, according to the blue book, your ministry paid \$1.7 million for forms from this company. At a time when you're denying out-of-country coverage to seniors against the law of the land, the Canada Health Act, at a time when you are delisting drugs and procedures, at a time when you are bringing in more and more user fees, when you have closed 8,000 hospital beds, what specific assurance can you give us that this fiasco is an isolated incident and that you have any control over wasteful spending in the Ministry of Health?

**Hon Mrs Grier:** To be asked a question about waste in the Ministry of Health from the member of a previous government that had health card numbers for I think 22 million people in the province is a little hard to take. Let me assure the member that management of the Ministry of Health has greatly improved over the last five years

and that our Ministry of Health is very concerned to make sure that there is no fraud, that there is no waste and that any doctor who submits a requisition for a laboratory use is in fact who they purport to be and is doing it in the proper way. That's what good management is about.

As I said in response to the first question, I will find out the facts of the situation and I will report to the House as quickly as I can.

1440

ARNOLD MINORS

**Mr Robert W. Runciman (Leeds-Grenville):** My question is for the Solicitor General.

Arnold Minors, your government's appointee to the Metropolitan Toronto Police Services Board and your intended successor as chair to the Liberal Party's board appointee Susan Eng, was quoted several weeks ago as saying the Holocaust, in which in estimated six million Jews were murdered, was not a racist act.

On October 7, Premier Rae indicated in the media reports that his office had asked you, the Solicitor General, for a full report. Apparently the Attorney General, through her ministry, is conducting that investigation. That was over three weeks ago.

We know the Attorney General has moved to cancel the anti-racism courses conducted by Mr Minors. Can you tell us, tell the Legislature, tell the people of Metropolitan Toronto, why you, as Solicitor General, haven't taken any action with respect to Mr Minors's responsibilities as a member of the police services board?

**Hon David Christopherson (Solicitor General):** The comments in question by the honourable member were indeed related to activities that an individual was carrying out in relation to a contractual agreement they had with the Attorney General's ministry and not in a capacity as an appointee through my ministry and from this government. Therefore, the relationship and any questions around that relationship lie with the Attorney General and not the Solicitor General.

**Mr Chris Stockwell (Etobicoke West):** You've got to be kidding. The Attorney General hires him and you take no responsibility for the—

**The Speaker (Hon David Warner):** Order. The member for Etobicoke West is out of order.

*Interjection.*

**The Speaker:** Would the member take his seat, please. I'd ask the member for Etobicoke West to please come to order.

**Mr Runciman:** That's an astonishing response, to say the least. We could go back over the years with respect to his leader and his role on this side of the House in response to these kinds of allegations. I wonder if his leader would have the same perspective with respect to the comments made in the teachings of Mr Keegstra in Alberta and other things that have occurred in this country, let alone this province, in the past decade or more.

**Mr Anthony Perruzza (Downsview):** Come off it. Make yourself clear. Go ahead, say what you want to say.

**The Speaker:** Order, the member for Downsview.

**Mr Runciman:** Over the next two days the Metro police services board will be selecting a new chief of police for the Metropolitan Toronto area. This is indeed a critical decision, with long-term implications for policing in Metropolitan Toronto.

According to a report in the Toronto Star today—I know we can't rely on that completely, but it's a pretty clear indication that Mr Minors is an individual who has little credibility in terms of the public, has virtually no public support, yet may cast the deciding vote in this crucial decision, the selection of a new police chief. Will you, at the very least, suspend Mr Minors from participation in the selection of a new chief while this Holocaust cloud hangs over his head?

**Hon Mr Christopherson:** The issue of previous comments that I have indeed referred to the Ontario Civilian Commission on Police Services is where I believe it properly should be for a formal and proper investigation.

The issue of whether or not someone remains in their appointed capacity while such an investigation is being undertaken is dealt with by the legislation, that allows that an individual would remain. That would apply, I would advise the honourable member, whether we're talking about a police services board member, whether we're talking about a chief, whether we're talking about any other entity that may be indeed sent to the commission. For that reason, the individual being mentioned continues to sit on the Metro police services board as a full member unless and until the commission decides or recommends otherwise.

**Mr Stockwell:** If this were a cop, he'd be suspended.

**The Speaker:** The member for Etobicoke West is asked to come to order. I caution the member that if he does not come to order, he will be named.

**Mr Stockwell:** If it were a cop, you'd suspend him.

**Hon Floyd Laughren (Deputy Premier and Minister of Finance):** You're a class act.

**Mr Stockwell:** Your guy's the class act. He won't answer a question.

**The Speaker:** The member for Etobicoke West, if he refuses to come to order, will be named.

**Mr Runciman:** This is a very disturbing response we're receiving from the Solicitor General. Clearly, he and his government are playing political games with this matter. We have allegations, and I will classify them as allegations, of anti-Semitic teachings, and this minister suggests that because those teachings fall under the purview of another ministry, he's washing his hands completely of that matter. Unbelievable.

*Interjections.*

**The Speaker:** Order. Would the member place his question, please.

**Mr Runciman:** Over the years, the current governing party and its leader have consistently talked a good fight about the evils of racism, but in this situation, dealing with one of your own political appointees, with serious allegations hanging over his head, you refuse to act.

Minister, your cabinet colleague the Attorney General had the intestinal fortitude to cancel the anti-racism courses conducted by Mr Minors, yet you continue to waffle. There's a critical decision coming up this week that will affect policing for decades in Metropolitan Toronto. I ask you once again, on behalf of the people of Metropolitan Toronto, will you act and suspend Mr Minors from participation in the choice of a new police chief for Metro Toronto?

**Hon Mr Christopherson:** If there's anybody in this House who's played political games with the issue of public safety and policing, particularly as it relates to Metropolitan Toronto police, it's the honourable member who was just on his feet.

*Interjections.*

**The Speaker:** Order. Would the member take his seat.

*Interjections.*

**Mr Stockwell:** If it was a cop, you would have hung him.

**Mr Perruzza:** If you think I'm going to stay here and take that—who would do that?

**The Speaker:** The member for Downsview is asked to come to order. Minister.

**Hon Mr Christopherson:** Let me just conclude my comments by saying that for a party that has a long history and tradition, particularly in this province, of believing in and supporting due process, it has been, during the course of this particular Parliament, the third party that's been the first one that wants to ditch due process time after time after time. This government will not succumb to that kind of pressure.

**Mr Runciman:** When it comes to action, you don't take any action. You're a phoney, David, a complete and utter phoney. That's what you are. Sit down.

**The Speaker:** Order. Will the member for Leeds-Grenville come to order. The member for Leeds-Grenville is using unparliamentary language. I ask the member to withdraw the remark.

**Mr Runciman:** I withdraw, Mr Speaker.

**The Speaker:** Had the minister completed his remark?

**Hon Mr Christopherson:** I have attempted to be helpful in trying to point out the kinds of processes and legislative requirements that are in place, but constantly the third party does not want to hear that, so I would have to say to you that I have done my best to answer the legitimate parts of the questions that I could find.

1450

#### GROSS REVENUE INSURANCE PLAN

**Mrs Lyn McLeod (Leader of the Opposition):** My question is for the Minister of Agriculture, Food and Rural Affairs. Minister, four years ago your Premier pledged support for the new agriculture stabilization program called the gross revenue insurance plan, or GRIP as it's known to farmers. At that time, you led the farmers of this province to believe that your government was committed to fully funding this program. It is four years later and you have yet to do so.

I'm sure you're aware that a number of weeks ago the corn producers of Ontario wrote to the Premier to



indicate their deep disappointment with the bluntness with which he had rejected their request that you live up to the promise your government made. Minister, can I ask you why you have decided to break your promise to Ontario's farmers.

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** That's kind of an amazing question in terms of our commitment. We've always been committed to the GRIP program. We've been committed to NISA. The program actually was designed by the farmers of Canada. It was implemented very quickly by the government of Ontario. I think what the member is trying to suggest is that there was a promise of 85% funding. The program was designed and set at 80%. That's what we promised; that's what we delivered. The plan is working, it's successful and the farmers appreciate the support they've got from this government.

**Mrs McLeod:** I'm glad the minister remembers the promise, but the farmers of this province do not see you as having kept that promise. You know very well that the reforms that have been requested by the corn producers and by a coalition of farm groups across the province to fix the GRIP program are not going to cost you additional dollars. You know that because of declining prices the changes will cost millions of dollars less than you spent under the program this year and last year.

You also are well aware that this is a federal-provincial-producer shared program, where the federal government picks up 45% of the costs of the program, so that for every dollar the province allocates, the federal government contributes almost \$2. As a result of the program not being fully funded, the farmers of this province are receiving less support than farmers in other provinces.

Minister, I ask, why would you refuse to consider changes to the program when it jeopardizes matching federal funds, and why would you not feel that Ontario farmers deserve their fair share?

**Hon Mr Buchanan:** I'm not exactly sure what kind of bookkeeping the Leader of the Opposition keeps, but I just heard her say that we could increase from 80% to 85% and it wouldn't cost any money. We heard from the Minister of Finance a few minutes ago about keeping books, but I don't understand this.

We are committed to GRIP and NISA, and if the Leader of the Opposition wants to be critical and do something for farmers, she might talk to her Liberal friends in Ottawa. We are interested in putting in place a whole farm program so that all farmers could be included in a whole farm program. We're prepared to put our money on the table, we're prepared to implement it tomorrow, and we can't get movement and leadership from the Liberal government in Ottawa. In fact, some of the other provinces are not willing to come to the table. We're willing to do that. If we just put money into the GRIP program, we will not have what we need to put a whole farm program in place.

I notice that the leader had a conference this morning and endorsed our agriculture and rural policies. I'm very pleased. I want to thank her for endorsing our policies and our platform that we've been putting in place over the last four years.

#### GOVERNMENT SPENDING

**Mrs Margaret Marland (Mississauga South):** My question is to the Chair of Management Board. I wonder, Minister, if you could tell us, in these days of fiscal restraint, exactly what kind of direction you have given to your ministries and to government agencies about ensuring that tax dollars are not wasted on meetings being held in expensive hotels and other similar junkets.

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet):** I'm not precisely sure, and I'm sure I'll find out in the supplementary, what the member is going to come back with. This is an issue that's been raised a number of times.

I can tell you that in general the directions that have gone out to ministries are directions that suggest that the most efficient and economical way of holding and paying for functions should be sought out, and in every single category where the government runs functions, whether they're training functions or whatever they might be, we've substantially reduced the overall operational costs of this government: on average, across the board, by 24% in four years.

**Mrs Marland:** Well, if you've done such a good job, then I guess you would probably be interested in answering my second question, which deals with the Advocacy Commission. Just in case you might have forgotten, the Advocacy Commission is chaired by the close personal adviser and friend of the Premier, David Reville, now in his new \$125,000-a-year job. The Advocacy Commission itself, of course, is going to operate at somewhere between \$30 million and \$100 million in cost in this province.

This commission held a meeting a week ago, over the weekend of October 22, at the Harbour Castle hotel in Toronto, which I think the minister would agree is certainly a luxurious hotel located in this city.

I would like to ask you, Minister, is this not a double standard, a holier-than-thou attitude? While you have been in opposition in this House and demanded of every government before you that there are all kinds of rooms available over in the Macdonald Block, and for the size of the Advocacy Commission they may well have been able to use the cabinet room itself, would you approve the chair, David Reville, taking the Advocacy Commission to a meeting in the Harbour Castle hotel?

**Hon Mr Charlton:** With respect to holier than thou, there is nobody in the government of Ontario who could surpass the member opposite. Nobody.

With respect to the specific question she's raised about the Advocacy Commission, I'm not familiar with the details. I will look into the matter. But as I said at the outset of my first answer, which is something she doesn't want to hear or understand, all ministries have been instructed to seek out the most cost-effective way of delivering the service, event or whatever the question happens to be that's required.

In that context—and again, I will get the specific details on this case—many of those establishments which the member across the way thinks of as luxurious may or may not be. We, for example, have gone out and reduced

rents in accommodations that were rented by the former government by some 38% or 40% because of the particular times we happen to be in, and those times often have an impact on what accommodations cost. We'll look into the matter.

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#### FRUIT GROWERS

**Mr Ron Hansen (Lincoln):** My question is to the Minister of Agriculture, Food and Rural Affairs. Last May the government announced \$20 million for the Niagara tender fruit lands program. This unique program is designed to protect at least 2,000 acres of Niagara's fruit lands by giving farmers a per-acre cash settlement over five years. This is in exchange for perpetual deeding of their land for farming.

The last I heard, a committee had been formed to draft some guidelines as to who will qualify for this program. Many farmers have since asked me when the first cheques will be issued. Can the minister give us an update on the Niagara tender fruit lands program?

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** That's an excellent question. The member referred to a committee, which is a committee of ministry staff, region of Niagara staff and farmers, which was putting together the implementation around this program. They have done so. The program has now been endorsed by the region of Niagara, and it was going to put some money in as well. I think it's important to recognize the fact that this is a cooperative program between the region, the province and farmers. The committee has done its work. The implementation is ready to go. The region endorsed the plan.

Now, they have still not withdrawn their three official plan amendments that we were objecting to a few years ago, and one of the conditions of sending the cheques out is that they would remove those official plan amendments that we did not want to endorse. I hope to meet with the region. I understand that the municipal politicians are very busy this particular season, but we will have a meeting very quickly, and I hope we can get our differences resolved and get the cheques out as soon as possible. That's the best I can do.

**Mr Hansen:** Can the minister tell us whether this program will be expanded in the future to protect more tender fruit lands?

**Hon Mr Buchanan:** That's a question that's often asked and I think it's important to answer it. The question is that we're not going to consider expanding it until we get the program up and running and see how it works and if there may be some minor adjustments required. We want to make sure it's working and working well before we expand it. I would certainly be in favour of looking at it, but we're not going to concentrate on expanding it until we get it working properly, and then we will cross that bridge when we come to it.

#### LIQUOR LICENSING

**Mr Joseph Cordiano (Lawrence):** My question is for the Minister of Consumer and Commercial Relations. After-hours clubs have become more and more of a problem in our neighbourhoods. The recent fatal shooting

which occurred outside of Tae's Restaurant and Nite Club took place in my constituency. Tae's is located right in the middle of a residential neighbourhood, a neighbourhood with young children, a neighbourhood where people used to feel safe, but not any longer.

With the recent fatal shooting, it becomes even more clear that we cannot allow the safety of our residents to be compromised. We must remove after-hours clubs literally from their backyards.

This morning, North York city council passed a unanimous motion calling on the Liquor Licence Board of Ontario to revoke the liquor licence of Tae's Restaurant. Minister, what do you intend to do with North York's request?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** I think I should reiterate what the Premier said yesterday. I'm not sure if you were in the House or not to hear that the Solicitor General will have the lead in this area, but certainly I, as minister responsible for the LLBO, will be involved in looking at the whole area of the problems around after-hours clubs.

In terms of the specific incident you mentioned, I understand that there is a process in place right now, and I can't quite recall what it is in terms of that club, but I believe that there is going to be a hearing.

The LLBO has legal jurisdiction over the status of a liquor sale licence or a special-occasion permit under the Liquor Licence Act and regulation, and this one does fall into that. When there are specific problems around safety or specific problems around contravention of the act, then what the liquor board does is suspend that licence and demand that there be a hearing held as to whether or not that particular club should in fact get its licence renewed.

**Mr Cordiano:** The day following the shooting, I wrote to you asking for your ministry to review the liquor licence granted to Tae's International. In case you're not aware, Tae's Restaurant and Nite Club is reported by the police to have been the site of 21 offences involving the illegal service of alcohol, weapons, drugs and homicides since 1990. How much longer must the residents in my community wait till some action is taken which will enable municipalities and the police to deal with the problem?

I understand the Solicitor General will take a leadership role, but will you assist the other minister, your colleague at the cabinet table, and encourage the Premier to bring forward legislation? It's high time you did something regarding these matters because, as we said yesterday in the House, it's not just a Toronto problem; it's a problem that affects many places around the province. Will you take some leadership in this? Because after all, you are responsible for the Liquor Licence Board of Ontario. Take a stand on this. You are the minister. Do something about it.

**Hon Ms Churley:** Yes, I will take some responsibility. Further, let me say that I believe the Premier's statement in the House in answer to a question around the broader issue and the private member's bill that's coming forward is a testament to how seriously we all take this issue.



I will be working with the Solicitor General and the LLBO to look at the kinds of problems that have emerged, and you're right, not just in the Metro area. There have been some tragic occurrences, some in licensed establishments that have been illegally serving alcohol after hours and some that quite frankly have not been licensed by the liquor licence board, and that's another issue we have to look at.

There are some complex problems here, there are perhaps some easier problems, but I am committed to work with the Premier, with the Solicitor General, with all levels of government, to see what we all can do within our own jurisdictions to try to find real, workable solutions to some of these problems.

#### JOB SECURITY

**Mr Jim Wilson (Simcoe West):** My question is for the Minister of Labour. For the past eight months, my colleagues Al McLean and Bill Murdoch and I and others have urged your government to amend its Bill 40 labour laws to allow private investors to purchase rail lines that CN has publicly said it wants to abandon.

In Simcoe county, the Midland to Orillia, Bradford to Washago and Collingwood to Barrie rail lines are featured prominently on CN's list of abandonments. If these lines go, industries and thousands of jobs will follow. In the Collingwood area alone, 2,000 jobs will be affected. To date, all the Premier has done is provide hollow reassurances that your government is working on this issue. Last March, I provided you with a solution to this matter in the form of my private member's bill which would amend your job-killing Bill 40 labour legislation.

Minister, since your government voted against my private member's bill and since eight months have passed and we've seen no action, what immediate solution do you have to offer to save these jobs in Simcoe county?

**Hon Shirley Coppin (Minister of Labour):** Mr Speaker, through you to the member, I hope he can appreciate that I am just being briefed, but that does not stop me from wanting to help the member. I am working with the Minister of Economic Development and Trade on the problem that he has brought to my attention about the short railways.

But you started your question to me about Bill 40. I am very pleased to tell all of the members in the House how well Bill 40 is working in this province. We will not be making amendments to Bill 40 because it has proven that it is stopping the adversary system that we have had in this province. We have to bring working people together with the business community.

#### *Interjections.*

**The Speaker (Hon David Warner):** Order.

**Hon Mrs Coppin:** Again, addressing your concern about the short railway, I would be very pleased to get back to the member with additional information as soon as possible. I will be discussing this concern with the minister in the next couple of days.

1510

**Mr Ted Arnott (Wellington):** By way of follow-up, I want to inform the House and the new Minister of Labour how Bill 40 has destroyed jobs in Wellington

county and in our neighbouring counties of Bruce and Perth.

A company called Canadian Agra Corp located in Kincardine in 1992 initiated plans to buy the rail corridor from Stratford to Harriston and from Harriston north to the Bruce Energy Centre in Tiverton. This plan would have ensured continued rail service in our area, which is important in attracting new industry generally, would have created 200 construction jobs to re-establish the rail links and would have created six to 10 permanent maintenance jobs at no cost to the taxpayer. This is a tangible example of jobs that have been lost because of Bill 40.

The company's plans to invest \$80 million in a new canola-crushing plant creating 40 new jobs are now in jeopardy because of Bill 40. Minister, we need those jobs in our area. We need the rail service to attract new industry and our farmers need the canola-crushing plant.

My question is this: Will the minister agree that unemployment is too high in Ontario and that the government's job is to create a climate to encourage private sector job creation, and will the minister recognize the economic folly of Bill 40, which is killing jobs, and announce its repeal today?

**Hon Mrs Coppin:** Mr Speaker, the short answer to all of the questions is no.

**Mr Jim Wilson:** On a point of order, Mr Speaker: I wish to serve notice that the member for Wellington and I are not at all happy with that response from the Minister of Labour and will be filing the necessary papers to ask the minister to appear in the late show.

**The Speaker:** The member does not have a point of order.

#### COMMUNITY ECONOMIC DEVELOPMENT

**Ms Christel Haeck (St Catharines-Brock):** My question is to the Minister of Municipal Affairs. Minister, many here in this House will remember and know, some of us from personal experience, that the Niagara region has been particularly hard hit economically. A number of us have been very active in our use of the Jobs Ontario Community Action program, and I know that it's having some very positive impacts in our communities.

As part of that overall program, last June you made an announcement at a conference in Thorold relating to community loan funds, and I understand that there are new developments with regard to community investment share corporations.

Minister, can you explain to my constituents and people within the chamber of commerce, whom I have met with, to our loyal opposition, the status of these programs?

**Hon Ed Philip (Minister of Municipal Affairs):** I thank the member for the question. For the record, I'm proud to say that our government has moved in the direction that the people of Ontario have been demanding for many years, that community investment share corporations, community loan funds are part of our government's new and exciting community economic development initiatives. We've recognized that access to traditional sources of capital is a major obstacle to community development, and these investment funds provide invest-

ment for local businesses and local projects.

I was in the Niagara and Fort Erie area yesterday. They are disgusted with the fact that previous governments didn't get hydro rates under control and they're very excited that we are doing something, not only in controlling hydro rates for the first time but also in having community economic development in the area.

**Ms Haeck:** I know that the minister has hit upon some important points. The small business people in my riding have in fact—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Ms Haeck:** Excuse me. Maybe your small business people don't come into your office and ask you—

**The Speaker:** Would the member place a question.

**Ms Haeck:** —the problem with the base, but they surely come to see me. Very clearly the economic development in our communities is very crucial to us all. I will make that assumption, that the opposition in fact agrees with that.

**The Speaker:** Would the member place a question, please.

**Ms Haeck:** The local initiative rewards our communities with healthier and more stable economic futures. This will be a positive return. This will have a positive return for our society in the long run. Mr Minister, can you give the residents of my community and others across the province examples of how these financing initiatives are beginning to help our communities?

**Hon Mr Philip:** I'd be pleased to. I know the member for St Catharines would have asked the question if his party had given him an opportunity, because I'm sure that he's very supportive of the work we are doing in the Niagara area and St Catharines area. But I'm pleased to give examples of what our government is doing.

Since we introduced this exciting new investment program in February of this year, 11 communities have received approval in principle for community loan funds ranging from \$100,000 to \$1 million, for a total provincial allocation of over \$3 million. In addition, as of October a total of nine proposals were given approval in principle to the community investment share corporation funds, for a total approval allocation of over \$4 million.

**The Speaker:** Would the minister conclude his response, please.

**Hon Mr Philip:** Our government's initiatives believe that communities can help themselves with the backing of the government. We're giving the backing to those communities.

**The Speaker:** The time for oral questions has expired. Motions? Petitions? The honourable member for Quinte.

**Mr Michael A. Brown (Algoma-Manitoulin):** On a point of privilege, Mr Speaker: I believe my rights as a member of the Legislature and the rights of the people of Manitoulin have been seriously compromised by a government action last week.

Last week the NDP government presented a promotional film to a group of business people to be used to promote investment in Ontario. During the course of this

film an astounding revelation took place. The film showed a map of Ontario on a number of occasions. The film, which was vetted by senior ministry people, showed important areas of the province as being ceded to the United States of America, more particularly to the state of Michigan. All of Manitoulin Island was given to the state of Michigan.

Mr Speaker, I live on Manitoulin Island. I am therefore concerned that I am no longer able to represent the people of Manitoulin in this chamber, as you recognize there is a requirement that a member of this Legislature lives in the province of Ontario.

**The Speaker:** The member for Algoma-Manitoulin will know he does not have a point of privilege. I appreciate the concerns which he has brought to my attention. It does sound as if he has excellent material for tomorrow's question period.

Petitions continue with the member for Quinte.

*Interjection.*

**The Speaker:** Sorry. The member for Mississauga South had given me notice earlier that she intended to raise a point of privilege, and indeed I will hear that now.

#### MEMBER'S PRIVILEGE

**Mrs Margaret Marland (Mississauga South):** Mr Speaker, I believe that my member's privileges were breached on August 16, 1994, when certain members of the Legislative Assembly committee leaked to the media the findings of a draft report by the committee's legal counsel, Eleanore Cronk, with respect to whether the Minister of Housing, Evelyn Gigantes, breached conflict-of-interest guidelines for cabinet ministers when she attended a meeting of the Van Lang Centre's board of directors on June 17, 1994.

The members of the Legislative Assembly committee agreed that counsel's report would remain confidential until we had approved the final version of the report, which would be made public at 12 noon on Friday, August 19, 1994. However, some members of the committee broke their oath of confidentiality. Press reports on counsel's findings appeared on the morning of Wednesday, August 17, 1994, following the committee's meeting on the evening of Tuesday, August 16, 1994.

I would appreciate it if you could consider this breach of my privileges and report your findings to me and to the House.

*Interjections.*

**The Speaker (Hon David Warner):** Order. The member for Mississauga South has indeed raised a very serious point of privilege. She quite properly served notice to the Chair, which I appreciate very much. I take the matter that you have raised very seriously. I will endeavour to reply as quickly as possible. It's my intention indeed to be able to report back to the House tomorrow.

1520

#### CORRECTION

**Mr Ted Arnott (Wellington):** I just want to indicate with respect to a statement I made yesterday regarding the need for improvements to Highway 6, that highway



being our access to Highway 401: I had intended to say Highway 401. Hansard has recorded my statement as Highway 1, and I just want to correct the record in that respect. Thank you, Mr Speaker.

**The Speaker (Hon David Warner):** The member indeed has a valid point of order and indeed it's appropriate for a member to correct his own record.

Additional points of order? The member for Quinte, once again.

### PETITIONS

#### FIREARMS SAFETY

**Mr Hugh O'Neil (Quinte):** I have a petition that has been forwarded to me by the Ontario Federation of Anglers and Hunters, and this petition is signed by many people in the Quinte area. It reads:

"To the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"I/We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

Mr Speaker, I submit this petition to the House.

#### CLOSURE OF JAIL

**Mr Leo Jordan (Lanark-Renfrew):** Before the Solicitor General leaves, I would like to present this petition with over 2,000 names. It reads as follows:

"To the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Legislative Assembly of Ontario:

"Whereby the Ministry of Solicitor General and corrections has made the decision to close the Perth Jail permanently effective October 4; and

"Whereas the closing of the Perth Jail will place an unfair burden on the taxpayers of Lanark county; and

"Whereas this closure is another example of the province of Ontario unfairly downloading its responsibilities on municipalities; and

"Whereas the safety of the community is at risk because of police departments having to transport offenders to Brockville and Ottawa;

"We, the undersigned residents of our community, call on the government of Ontario to rescind the closure of the Perth Jail."

I hope, Mr Minister, that you realize the number of people who are still active and very upset over this decision.

**The Acting Speaker (Ms Margaret H. Harrington):** The member for Durham East. The member for Durham East.

#### WHITBY GENERAL HOSPITAL

**Mr Gordon Mills (Durham East):** My apologies, Madam Speaker. You were looking at the member for Durham Centre when you said Durham East.

Anyway, Madam Speaker, I have a petition signed by about 5,200 people, many of whom are constituents in my riding of Durham East, which includes the northern portion of the town of Whitby, including the villages of Brooklin, Ashburn and Myrtle Station. The petition reads:

"We, the undersigned, petition the government of Ontario to maintain the Whitby General Hospital as an active treatment, full-service health care facility."

I've put my signature to this.

#### MENTAL HEALTH SERVICES

**Mr Tony Ruprecht (Parkdale):** I have a petition that has been forwarded to me by many residents from Fort York and from Parkdale and it reads:

"Whereas the NDP government is hell-bent on establishing a 20-bed forensic facility for the criminally insane at the Queen Street Mental Health Centre; and

"Whereas the nearby community is already home to the highest number of ex-psychiatric patients and social service organizations in hundreds of licensed and unlicensed rooming houses, group homes and crisis care facilities in all of Canada; and

"Whereas there are other neighbourhoods where the criminally insane could be assessed and treated; and

"Whereas no one was consulted—not the local residents and business community; not leaders of community organizations; not education and child care providers; and not even the NDP member of the provincial riding of Fort York;

"We, the undersigned residents and business owners of our community, urge the government of Ontario to immediately stop all plans to accommodate the criminally insane in an expanded Queen Street Mental Health Centre until a public consultation process is completed."

I've affixed my signature on the bottom of this petition.

#### HEALTH INSURANCE

**Mr Allan K. McLean (Simcoe East):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the provincial government has recently slashed health coverage by 75% for Ontario citizens who are hospitalized out of the country;

"Whereas this reduction in coverage will affect all Ontarians but will have the greatest impact upon seniors, many of whom travel south of the border for important health reasons and who will be forced to absorb a tremendous hike in their health insurance premiums;

"Whereas the government has justified its decision on the basis of not wanting to pay exorbitant hospital costs, even though currently out-of-country hospital coverage is based solely on the rates charged by Ontario hospitals;

"Whereas the reduction in out-of-country hospitaliz-

ation coverage below the rates charged by Ontario hospitals represents an indisputable violation of sections 7 and 11 of the Canada Health Act;

"Whereas the Ontario Progressive Conservative Party makes the preservation of medicare a priority in its Common Sense Revolution policy document;

"Therefore, we petition the government of Ontario to act in a fair and just manner by preserving the sacred principles of medicare and immediately restore out-of-country hospitalization coverage to the rates charged by hospitals in Ontario."

That's signed by 183 names from Orillia, Penetanguishene, Barrie, Southampton, Elmvale, Perth, even Kitchener and Burlington, and I have affixed my name to it.

#### WHITBY GENERAL HOSPITAL

**Mr Drummond White (Durham Centre):** I have here some 25,000 petitions from people in Whitby, Oshawa, primarily from the town of Whitby, and it reads:

"Whereas Whitby General Hospital was built by the citizens of Whitby 25 years ago;

"Whereas the population of the town of Whitby has tripled since then and is the second-fastest-growing community in the region of Durham with a projected population of over 100,000; and

"Whereas equal access to health care is one of the basic principles of our national health care system;

"Whereas the Whitby General Hospital's closure would be counter to these basic health care principles, thereby making health care less accessible to Whitby residents;

"Therefore," the 30,000 people who have signed this petition are making a clear message of their desire to "petition the Legislative Assembly of Ontario to maintain the Whitby General Hospital as an active treatment, full-service health care facility."

Madam Speaker, in the members' gallery are a number of people from our community who have worked very hard to acquire this petition and these 30,000 signatures, and I affix my name thereto.

#### GASOLINE PRICES

**Mr Frank Miclash (Kenora):** I have a petition signed by a number of my constituents from the Kenora riding, including Kenora, Sioux Lookout, Cochenour, McKenzie Island, Balmertown and Redditt. The petition reads, as a petition to the Legislative Assembly of Ontario, of course:

"Whereas the difference in gasoline prices between northern and southern Ontario has long represented a serious inequity between the two regions; and

"Whereas the difference in gasoline prices between northern and southern Ontario is often between 10 and 20 cents a litre; and

"Whereas residents of most northern Ontario communities have no access to public transportation options and are therefore dependent on private automobiles; and

"Whereas 1990 NDP election promises to 'equalize' the price of gasoline across the province of Ontario have not been kept; and

"Whereas Kenora Liberal MPP Frank Miclash has

called upon the NDP government to keep their 1990 election promises; and

"Whereas the elimination of motor vehicle registration fees for northern Ontario residents does not compensate for the high price of gas in the north;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the NDP government of Ontario fulfil its election promises to the people of northern Ontario by equalizing the price of gas across the province of Ontario."

Again, that is signed by a good number of constituents from the riding of Kenora.

#### 1530

#### PROGRESSIVE CONSERVATIVE PARTY PLAN

**Mr Gary Carr (Oakville South):** I have a petition by hundreds of residents of my riding which says:

"Whereas we are convinced that a 30% cut in personal income taxes, a 20% cut in non-priority government spending and a balanced budget in four years will help create thousands of jobs in Ontario; and

"Whereas the Ontario government isn't working, we need a major change in direction in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario to support Mike Harris and his plan to return commonsense government here in the province of Ontario."

I will be signing that petition as well.

#### EDUCATION FINANCING

**Mr Robert Frankford (Scarborough East):** I'm presenting a petition on behalf of David Warner, the Speaker of the House. It was put together by Mrs Cathleen Hughes, president of the St Richard school association in his riding:

"To the Legislative Assembly of Ontario:

"Whereas the British North America Act of 1867 supports the right of Catholic students to a Catholic education, and the province of Ontario supports two educational systems from kindergarten to grade 12/OAC; and

"Whereas the Metropolitan Separate School Board educates more than 103,000 students across Metropolitan Toronto; and

"Whereas this is equivalent to 30% of all the students in this area; and

"Whereas the Metropolitan Separate School Board is expected to provide the same programs and services as its public school counterpart and must do so by receiving \$1,822 less for each elementary school student and \$2,542 less per secondary school student, based on 1993 estimates;

"We, the undersigned, petition the Legislative Assembly of Ontario to act now to ensure that Ontario's two principal education systems are funded fully and equally."

#### LONG-TERM CARE REFORM

**Mr Ron Eddy (Brant-Haldimand):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Ontario government has given second



reading to Bill 173, An Act respecting Long-Term Care, and clause-by-clause consideration of the bill;

"Whereas seniors and the disabled are entitled to accessible community-based care;

"Whereas we do not believe that Bill 173 will provide more cost-efficient and accessible care;

"Whereas we, the undersigned, believe the government of Ontario must recognize and value the work of volunteers in this province;

"We, the undersigned, petition the Legislative Assembly of Ontario to ensure that amendments are made to Bill 173 to allow for provision of community care based on the needs of the local communities in Ontario and acknowledge the role of volunteers in the delivery of care."

It's signed by a number of petitioners and I affix my signature.

#### FIREARMS SAFETY

**Mr Allan K. McLean (Simcoe East):** I have a petition to the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to use;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

That's signed by 124 people from Orillia, Coldwater, Sutton, Beaverton, Elmvale, Bracebridge and Meaford, and I'll sign my name to it.

#### ANIMALS FOR RESEARCH

**Mr Donald Abel (Wentworth North):** I have a petition addressed to the Parliament of Ontario. It reads:

"Whereas every year in North America animals are used in cruel, outdated tests for cosmetics and household products;

"Whereas these tests are not required by provincial or federal law;

"Whereas many non-animal alternative tests are available and are already in use by many companies;

"We, the undersigned, petition the Parliament of Ontario to pass into law a bill which prohibits the use of animals in cosmetic and household product testing."

I attach my name as well.

#### VIOLENCE

**Mr John C. Cleary (Cornwall):** I have a petition to the Parliament of Ontario:

"Whereas the problem of interpersonal violence is becoming all too frequent as part of day-to-day living; and

"Whereas this violence is particularly evident on television in the guise of entertainment; and

"Whereas violence against women and children is evident in pornographic videos and video games, magazines and other media; and

"Whereas violence between children in schools appears to be increasing; and

"Whereas random murders and assaults, particularly by young offenders, are highly distressing; and

"Whereas senior citizens and others do not feel safe in their own homes; and

"Whereas a sense of helplessness comes over" the "ordinary citizen and concerned Christians as we watch the deterioration of our society to the plague of violence;

"We, the undersigned, members and friends of St John's Presbyterian Church, Cornwall, Ontario, petition the Parliament of Ontario as follows: We urge the Parliament of Ontario to take an unequivocal stance against violence in every form and that it publicly and clearly state such a stance; and that" it "begin and/or continue to draft legislation that would address violence in the above contexts."

That's signed by 128 of my constituents and I've also signed the petition.

#### NOTICE OF DISSATISFACTION

**The Acting Speaker (Ms Margaret H. Harrington):** The time for petitions has expired. I wish to inform the House that pursuant to standing order 34(a), the member for Simcoe West has given notice of his dissatisfaction with the answer to his question given by the Minister of Labour concerning Bill 40 and its impact on rail line acquisition. This matter will be debated today at 6 pm.

#### INTRODUCTION OF BILLS

##### DURHAM REGIONAL POLICE ASSOCIATION INC. ACT, 1994

Mr O'Connor moved first reading of the following bill:  
Bill Pr135, An Act to revive Durham Regional Police Association Inc.

**The Acting Speaker (Ms Margaret H. Harrington):** Is it the pleasure of the House that the motion carry? Carried.

##### MONPRE IRON MINES LIMITED ACT, 1994

Mr Murphy moved first reading of the following bill:  
Bill Pr118, An Act to revive Montpre Iron Mines Limited.

**The Acting Speaker (Ms Margaret H. Harrington):** Is it the pleasure of the House that the motion carry? Carried.

##### BEREAN BAPTIST CHURCH OF COLLINGWOOD ACT, 1994

Mr Jim Wilson moved first reading of the following bill:

Bill Pr138, An Act to revive Berean Baptist Church of Collingwood.

**Mr James J. Bradley (St Catharines):** There should be an act to revive the government.

**Mr Jim Wilson (Simcoe West):** No, there's no reviving the government.

**The Acting Speaker (Ms Margaret H. Harrington):** Is it the pleasure of the House that this motion carry? Carried.

1540

#### ORDERS OF THE DAY

STATUTE LAW AMENDMENT ACT  
(GOVERNMENT MANAGEMENT  
AND SERVICES), 1994

LOI DE 1994 MODIFIANT DES LOIS  
EN CE QUI A TRAIT  
AUX PRATIQUES DE GESTION  
ET AUX SERVICES DU GOUVERNEMENT

Resuming the adjourned debate on the motion for second reading of Bill 175, An Act to amend the Statutes of Ontario with respect to the provision of services to the public, the administration of government programs and the management of government resources / *Projet de loi 175, Loi modifiant les Lois de l'Ontario en ce qui a trait à la fourniture de services au public, à l'administration des programmes gouvernementaux et à la gestion des ressources gouvernementales.*

**The Acting Speaker (Ms Margaret H. Harrington):** We will continue with the debate from yesterday, and the member who had the floor at adjournment was the member for Oriole.

**Mrs Elinor Caplan (Oriole):** I'm continuing debate on Bill 175, which is entitled An Act to amend the Statutes of Ontario with respect to the provision of services to the public, the administration of government programs and the management of government resources.

This bill has been categorized by the NDP government as a bill which is about the efficiency of government, and on numerous occasions in briefing notes and in discussions with members of the official opposition and our staff, the government has said that this bill is not controversial, that it is making changes which are considered housekeeping, minor changes and many of them it has said are long overdue. We heard that yesterday, when the minister who has responsibility for carriage of the legislation—

**Mr Charles Harnick (Willowdale):** On a point of order, Madam Speaker: There is not a quorum present in the Legislature this afternoon.

**The Acting Speaker:** Would the clerk please determine if a quorum is present.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** We may resume our debate on Bill 175.

**Mrs Caplan:** I'm pleased that there is now a quorum present. As I was saying, Bill 175 is an omnibus piece of legislation. The Minister of the Attorney General said yesterday that Bill 175 makes non-controversial changes. We know that there's a total of about 110 different proposals and 14 ministries and that well over 100

statutes are amended by this very thick and quite complex document.

I stated yesterday in my remarks that since the minister and the government have said that this piece of legislation is non-controversial, intended to make housekeeping changes, and since it really is a precedent in this House to have such a broad-sweeping piece of legislation that covers so many statutes and so many ministries and so many policies, we wanted assurance from the government that if there was anything controversial in the legislation, it would commit to remove it from the legislation.

My caucus has identified an issue which we believe is highly controversial and we have requested the government House leader, the minister responsible for this bill—the Attorney General—and the government to make the commitment that they will withdraw the sections as they relate to the Advocacy Commission from the legislation, as these amendments to the Advocacy Act are clearly highly controversial.

I have not yet heard from the government House leader a response from the government, nor have I heard from the Attorney General. As I await their reply, I'd like to make the case of why these amendments to the Advocacy Act are controversial and why we are requesting the government to remove them from the statute.

The amendment gives the Advocacy Commission powers so that it can conduct matters of administration, hiring people, so on and so forth. It also designates the Advocacy Commission as a schedule 3 agency quite removed from control and accountability of the government.

We do not support the Advocacy Act in its present form. The Liberal caucus and our leader, Lyn McLeod, have been very clear. We did not support the act when it was here in the House. We voted against the act.

We have said that should we have the opportunity at some point in the future, we would make sure that the Advocacy Commission as it has been put into place by the New Democratic government would in fact be scrapped, that those sections of the Advocacy Act would be repealed. Those changes are extremely important because we consider the Advocacy Commission as it has been formulated by the NDP government to be unworkable.

Given that very clear position by our party, we believe that it would be inconsistent and, more than inconsistent, would put in place the kinds of powers to bring a commission that we do not support into being in the province. Therefore, not only is it inconsistent but it is something that we just simply cannot support. Our contention is that this debate and discussion should not be part of Bill 175.

The minister, as I said, assured us that there was broad support for all of the recommendations and amendments contained in Bill 175. In fact, we know that there are many who have concerns about how the Advocacy Commission is being structured, how the appointment process is working, how people are being appointed to that commission, which makes the issue of accountability very important. Commitments were made by the government to many of those who are interested in how the



Advocacy Commission would function, and they are feeling betrayed and upset.

I'd like to place in the record what some of the interests have to say about the Advocacy Commission as it has been put forward by the NDP, so that the government will know that the amendments that are in Bill 175 are controversial and that we will not tolerate having those amendments put through in a housekeeping bill that is said to be non-controversial.

On October 24 this open letter to the Premier was tabled at a press conference. I'd like to share with the House what the Ontario Advocacy Coalition wrote in its letter to the Premier. They say:

"Dear Mr Rae:

"We received your letter dated October 14, 1994, as well as an undated letter from the Minister of Citizenship faxed to me on October 18, 1994, concerning the government's decision to appoint the Ad Hoc Coalition's four nominees to the Advocacy Commission. The letter from the minister that you asked her to write did not address our concerns. We are therefore writing to request that you personally address our concerns. Specifically, we want to know why the Minister of Citizenship succumbed to pressure from a powerful lobby group, namely the Ad Hoc Coalition, while at the same time failing to meet her legal obligations under the Advocacy Act as well as her own and the government's commitments made in 1992 to this coalition and the more than 600,000 vulnerable people in Ontario.

1550

"Perhaps it will help you to understand the outrage of this coalition and our sense of betrayal by the minister if we review the events leading up to this point.

"In 1991 you lived up to your election commitment and introduced the Advocacy Act, the Substitute Decisions Act and the Consent to Treatment Act. At that time it was recognized that there would be opposition to this legislation from service providers who felt threatened by the thought that the system in which they spoke for vulnerable people would disappear. Our coalition worked long and hard between 1990 and 1992 to support your legislative initiatives and to do everything we could to ensure that the legislation truly met the principles it was designed to reflect. We were confident, based on the many statements that were made by you and members of your government that you fully supported an advocacy system that was intended to empower vulnerable people and give them a voice to counter the strong lobbying organizations such as the Ontario Medical Association, the Ontario Hospital Association and the Ontario Nursing Home Association.

"The Ad Hoc Coalition was pulled together in 1991 by then NDP Treasurer Brian Harling who worked for the Ontario Medical Association at the time. In addition to the OMA, the coalition consisted of the Ontario Nursing Home Association, the Ontario Hospital Association, as well as several other organizations providing services to seniors and persons with disabilities."

**Mr Harnick:** On a point of order, Madam Speaker: There are again only nine people in the Legislature. I

would ask that we check and see if a quorum is present.

**The Acting Speaker:** Would the clerk please determine if a quorum is present.

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** We will resume our debate. The member for Oriole.

**Mrs Caplan:** Time does not permit me to read the entire letter that was tabled at the press conference; however, the bottom line in this letter, which is signed by Ralph Evans and Mae Harman, who are co-chairs of the Ontario Advocacy Coalition, says: "We look forward to your response"—and they're referring to the Premier—"to our request for your direct intervention. Being referred to a minister who has lost our confidence would only confirm you have not heard us. On behalf of the vulnerable people across Ontario, please act."

This letter confirms that there are many who feel they have been betrayed by the government in the way it has gone about implementing the Advocacy Commission.

Similarly, there are grave concerns that the Psychiatric Patient Advocate Office, with which I'm extremely familiar, is going to result in less service to those people who presently count on the PPAO for the support they need. As I understand it, it is the intention of the government, upon proclamation, to have all the services presently provided by the PPAO become part of the Advocacy Commission, notwithstanding the fact that the Advocacy Act limits service under that act to people over the age of 16, and that the Psychiatric Patient Advocate Office today is presently serving people under the age of 16. Therefore, those vulnerable people under the age of 16 who are presently receiving support and service from the PPAO will be left without anyone to support them and give them the advocacy needs as they require them.

Second, it would seem to me logical to have a kind of transition, to take a look at the establishment of an advocacy office and an Advocacy Commission rather than having the kind of proclamation in January that I believe will lead to chaos. It seems to me that there are enough concerns. I also have a letter that was written as of October 20 by the acting director of the Psychiatric Patient Advocate Office that clearly asks the government to slow its proclamation. The letter says:

"The Psychiatric Patient Advocate Office is a quasi-independent program of the Ministry of Health. For the last 11 years we have worked for the rights of inpatients in Ontario's 10 provincial psychiatric hospitals. Most of our clients have serious mental illnesses, and have" a history of being "underserved by the mental health system.

"The chair"—of the Ontario Advocacy Commission—"David Reville and members of the Ontario Advocacy Commission have just been appointed. Between now and mid-January (about 60 working days) the commission is scheduled to begin providing advocacy and rights advice services across Ontario to people with disabilities. The

government had made a decision to transfer the PPAO to the commission, without taking into account the views of the program, our clients, or the new commission.

"Few benefits to the clients of the PPAO resulting from such a transfer have been identified, and many risks. For example, PPAO advocates are salaried specialists onsite in the 10 hospitals, with a fast response time. Under the commission, our clients could be served by a volunteer generalist advocate who lives in the next town and can't respond to a call from a client for several days.

"If the transfer occurs, the commission's first 'accomplishments' could include the immediate reduction of advocacy services to the people in provincial psychiatric hospitals"—

**Mr Harnick:** On a point of order, Madam Speaker: We again don't appear to have a quorum. After being away from here for four and a half months, I would think the government members would be delighted to be back and in their seats to proceed with their legislative agenda.

**The Acting Speaker:** Would the clerk please determine if a quorum is present.

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

1600

**Clerk Assistant and Clerk of Committees:** A quorum is present, Speaker.

**The Acting Speaker:** We shall resume.

**Mrs Caplan:** Just to complete this last paragraph, it says, "the commission's first 'accomplishments' could include the immediate reduction of advocacy services to the...provincial psychiatric hospitals (part of the population the commission is intended to benefit); an admission of indifference to the views of that population; and an admission of its unwillingness to disagree with the government on important issues."

This is signed by the acting director as well as the acting legal counsel of the Psychiatric Patient Advocate Office.

What I have presented today and what I have heard is that providers do not support the Advocacy Commission as it has been constituted by the NDP government. Consumers do not support the Advocacy Commission as it has been constituted by the NDP government. Those of us who've had an opportunity to review the legislation and have seen both the appointment process and the rights adviser and advocacy system that the NDP government envisions having in place by January 1 know that it is unworkable and that it is confusing and that it could well result in fewer services to a very vulnerable population in the province.

It seems to me that to include amendments in Bill 175 that will empower an Advocacy Commission that is so badly flawed and that there are so many concerns about should say to the government that this is a highly controversial amendment which is being proposed in Bill 175, and since your stated intention is that Bill 175 be merely housekeeping and non-controversial items, it would be an act of good faith for the government to remove section 65

and any other sections and parts of the bill that deal with empowerment of the Advocacy Commission, to take them out of the bill to allow the bill to proceed.

I'd like to make this commitment on behalf of my caucus. As I said yesterday, we are prepared to cooperate with the government on issues of housekeeping, efficiency, and in those areas where we believe that by cooperating in this House we can expedite legislation that is clearly non-controversial and seen as simply housekeeping.

However, if a piece of legislation which the government claims is non-controversial and merely housekeeping contains, as this one does, a very controversial amendment such as the amendment to the Advocacy Act, we see that as a clear breach of faith of the parliamentary procedures in this House, and I say to the government that we will use every legitimate parliamentary procedure we can to alert the public of Ontario to the duplicity of the government as it attempts to suggest that Bill 175 is non-controversial and merely housekeeping.

We will speak to this legislation. We will require that it go to committee. We will use all the proper procedures that this House allows a legitimate opposition to keep this bill from becoming law if it contains the kind of controversial amendments which the government has assured the House is not the intent of Bill 175.

I am calling upon the Premier, the government House leader, the Attorney General to do what they said they were going to do with Bill 175 and remove from this bill those sections which refer to the Advocacy Act, to allow full and complete debate on an item which we believe we as an opposition are entitled to and which the public is entitled to have full debate on.

The Advocacy Act was recently in this House, and we stated very clearly at the time that we do not support the model the NDP has put forward. Since the time that act completed the third reading procedure in this House, we have heard from providers and consumers, advocates and those with an interest in this bill who say they are disappointed and feel betrayed and upset and concerned that the Advocacy Commission will not be able to do the job it was intended by the government to do.

As I conclude debate on Bill 175, I would like to say that I am very supportive of the kinds of amendments which would lead to greater efficiency in government. I spent a great deal of time yesterday offering the government many ideas where it could save money and in fact be far more efficient. But I am very concerned when we see the government come forward with a bill that it claims is merely housekeeping and is non-controversial and then, when we take a closer look, we see an act that contains sections that are indeed highly controversial.

I have not yet heard from the government House leader or from the Attorney General, and I would hope that before the end of today's session they would agree to remove section 65 and any other sections as they relate to the Advocacy Act, and then it would be the position of our party that we would expedite the remaining parts of Bill 175 to allow the government to have those amendments which are truly non-controversial and housekeeping and will lead to some streamlining which is necessary if



we are going to see fiscal responsibility a reality in the province of Ontario.

Thank you very much, Madam Speaker, for this opportunity to lead off on this important debate.

**The Acting Speaker:** Now we have time for questions or comments to the member for Oriole.

**Mr David Winninger (London South):** Two minutes does not afford a great opportunity to respond to a 90-minute speech from the member for Oriole, but I would like to first of all reiterate what the Attorney General said in this House yesterday, that is, that since at least June, when Bill 175 was introduced in this House, the government has made every effort to consult with the opposition members about the contents of the bill; that the government has already tabled motions to deal with matters that have been identified as controversial; and that the government will continue to consider in the course of discussions about the bill those items that the opposition identifies as being controversial.

Perhaps, just to hit the high points with reference to the provisions of the Advocacy Act that the member for Oriole has touched on again and again during her remarks, the provisions of the Advocacy Act have clearly indicated the intent for the independent functioning of the Advocacy Commission. The amendments put forward in Bill 175 are indeed technical in nature. They clarify the role of the commission; they confer on it certain powers. If the member for Oriole has some concerns about that, certainly they can continue to be discussed.

But I think the government has taken quite a clear position that the Advocacy Commission will be a schedule 3 agency—that was anticipated in the legislation—and I'm certain most of the stakeholders out there would be tremendously disappointed if the government chose to resile from the position that the commission be a schedule 3 agency.

There are several other issues the member for Oriole raised in regard to the exemption for taxis that are accessible. I need to make it quite clear for the record that the proposal put forward in Bill 175 dealing with this issue is one that's based on fairly wide public input and the design is not to allow an exemption where passengers are not disabled.

1610

**The Acting Speaker:** Thank you to the parliamentary assistant to the Attorney General. Further questions or comments? Seeing none, the member for Oriole has two minutes to respond.

**Mrs Caplan:** I appreciate the comments from the member for London South. In fact, on the issue that I raised yesterday regarding the taxis, I said at that time that I was very supportive of the rights of disabled persons to be able to use taxi services and cross boundaries. As a member of the official opposition, I felt I had an obligation to put forward the concerns of the taxi companies.

Since the government had said that this legislation was not controversial, I felt it was important that we at least point out where there were concerns. However, we support the government in its intent and we support the

amendment to the legislation that would give greater access to people with disabilities who need to use taxis and want to cross municipal boundaries. I'm pleased that you gave me an opportunity to clarify that.

Secondly, you've said that the amendments to the Advocacy Act are technical. I argue with you, sir, that they are not technical. It was never anticipated or discussed during the Advocacy Act debates that this Advocacy Commission would be a schedule 3 agency. While I'm sure that there are some advocates and consumer groups that would support a schedule 3 designation, similarly I think that would be highly controversial and you would find that there are many, particularly providers, who would like to be able to argue the need for the Advocacy Commission to be closer to the government and be perhaps a schedule 1, which I understand was the original intent of the government.

Having been a former Minister of Health when the Psychiatric Patient Advocate Office was actually a program within the ministry, I want you to know that it was highly effective, worked extremely well to advocate for the rights of patients in the psychiatric hospitals and did not require, although there were often debates and discussions about having it at arm's length, a schedule 3 designation to be effective.

**The Acting Speaker:** The member's time has expired. Further debate?

**Mr Harnick:** I'm pleased to be able to rise to take part in a debate on a bill that is designed specifically to streamline the way that government operates and that is designed to make government more efficient, and that is the purpose of this Bill 175, the Statute Law Amendment Act (Government Management and Services), 1994.

I have some preliminary remarks to make about the way this bill has been constructed. The bill effectively deals with 14 ministries, and if we're talking about the issue of efficiency, this is a highly inefficient way to go about delivering a piece of legislation that is supposed to be comprehensible and recognized as something that is going to make the operation of government more efficient. This is a hodgepodge of material put together hastily and in a way that makes very, very difficult the opportunity for those charged with the responsibility of responding to its contents to do so.

It's what we call an omnibus bill. Yet as an omnibus bill there is not anything that ties the sections of this bill together by way of a commonality of subject matter. It is merely a pile of inefficiencies that exist in different ministries that have no connection to one another put together in the same bill designed to confuse people, to make it harder to understand, to make it more difficult to debate and in fact to extend the amount of time that has to be spent in debate on this bill. If we had 14 simple bills, we might have 14 critics standing up and saying that these are good things for their ministries, but the design of the bill has prevented that from happening.

The other interesting aspect of this bill is that it's a bill that the Attorney General has carriage of, even though it deals with the Ministry of Agriculture, Food and Rural Affairs, the Attorney General's ministry itself, the Ministry of Citizenship, the Ministry of Community and Social

Services, the Ministry of Consumer and Commercial Relations, the Ministry of Education and Training, the Ministry of Culture, Tourism and Recreation, the Ministry of Environment and Energy, the Ministry of Labour, the Ministry of Municipal Affairs, the Ministry of Natural Resources, the Ministry of Northern Development and Mines, the Ministry of the Solicitor General and Correctional Services, the Ministry of Transportation. We have all of these really different bills under one roof representing 14 different ministries, all being put together by the Ministry of the Attorney General.

I am really at a loss as to how the Ministry of the Attorney General, with the fact that the justice system in this province is deteriorating as we speak, has time to be dealing with the Ministry of Agriculture, Food and Rural Affairs etc, and I'm not picking on the Ministry of Agriculture, Food and Rural Affairs. But the fact is that the Attorney General should not be piloting a bill that is designed to deal with the Ministry of Agriculture any more than the Attorney General should be dealing with the Ministry of Citizenship, the Ministry of Community and Social Services, the Ministry of Education and Training, the Ministry of Culture, the Ministry of Natural Resources, the Ministry of Municipal Affairs, the Ministry of Environment and Energy, the Ministry of Transportation, the Ministry of Northern Development and Mines etc.

Why is the Attorney General dealing with the bills of 13 other ministries? It doesn't make sense when we've got the problems in the justice system that we have today.

I'm referring to a very recent issue of the *Law Times*, and it says:

"A scathing review of the 'scandalous' state of the province's courts has been levelled at the Attorney General" by no less than the Canadian Bar Association—Ontario, a group that has a fair bit of knowledge, probably more knowledge than the Attorney General personally, as to what goes on in the courts in the province of Ontario. What they say is that the state of the province's courts is nothing short of scandalous, and what do we have? We have the Minister of the Attorney General, the minister of justice for this province, dealing with—and I don't want to go through them again, but 13 ministries other than her own to shepherd this bill through the Legislature.

The article that I'm referring to goes on to say that the review that's being undertaken "is intended as a last-ditch effort to save masters from extinction," and those are the masters of the Ontario Court of Justice who deal with all preliminary interlocutory procedural matters on behalf of parties to litigation, "but deals extensively with inconvenience, delays and additional costs to clients caused by an 'inefficient' court administration run by"—and get this, Mr Speaker. The Canadian Bar Association says that the justice system in this province is run by "rude and surly" staff.

Those are the allegations—or not allegations, but those are the findings—of the Canadian Bar Association of Ontario dealing with the state of the justice system, primarily the civil justice system, in the province of Ontario, and there it is in the *Law Times*, being reported

on accurately, I might add. We have a situation here that cries out for something to happen, and the Minister of the Attorney General, the justice minister of this province, is apparently too busy to deal with all of these problems.

1620

Let me digress for just a moment. I have in my career as a lawyer spent a great deal of time in and around the courts in the province of Ontario. Yes, I've run into administrators in the courts who apparently are, seemingly, rude and surly. But they're rude and surly not because that's their attitude generally, because a lot of these people have been working in the justice system for years and years. They didn't used to be rude and surly. They're rude and surly because the administration of justice in this province has so broken down that they can no longer do their jobs.

I can tell you that there are people who have to get to the courthouse at 6 o'clock in the morning to line up so that they can file the papers they have to file with the courts that day, and that is the state to which the administration of justice has sunk in this province. I will come back to this, no doubt, in my remarks.

What I'm trying to illustrate is the very idea of the Attorney General of this province being bogged down with what should be pieces of legislation carried by other ministers which, in the face of the total breakdown of the civil justice system in this province, which is ongoing, is a positively strange, unusual, very odd circumstance.

It's a very odd circumstance, when something as critical as the breakdown of our courts is occurring and the Canadian Bar Association is publishing reports that are being documented on the front page of lawyers' periodicals and newspapers, that nothing is happening, that we don't see a single, solitary thing happening to reverse the course that we're taking in the province of Ontario.

I might add that it's not fair of me to give the impression that all this happened because of what the New Democratic government has done, because this happened as a result of the re-engineering done by the David Peterson government when it merged the court structure into a single court. That was at a time when they told us we were going to get rid of the Supreme Court of Ontario and we were going to have one court bench and it was going to the Ontario Court of Justice (General Division) that was going to now be the merged High Court.

"We're not going to have district or county courts any more. We're going to have one merged court." That was the engineering of the Ontario Liberal Party and the David Peterson government. Yes, they put that court together. They put it together in such a way that it now costs more; there aren't enough judges available, there aren't enough courtrooms available. There are soon to be no longer any masters of the Ontario Court of Justice to help the justice system continue to move along.

**Mr Winninger:** What about all the judges we've appointed?

**Mr Harnick:** My friend the member for London South interjects, and quite properly, a very good interjection. He says, "What about all the judges we've appointed?" Let me tell him that his government hasn't



appointed any judges to the Ontario Court of Justice (General Division) because those are federally appointed judges in our High Court, and those judges who now occupy those positions everywhere in the province of Ontario—because those are the judges who run the High Court in Ontario—no longer can keep up with the work they already have to do in this merged court, this architecturally designed court by the 1985 and 1987 David Peterson government and the accord that they made with Bob Rae.

They all got together and created a monster: a monster in probably many other—well, definitely in many other areas in this province, but particularly in the area that I am privileged to speak about today, and that's the court system.

At any rate, we now have masters disappearing from our courts, we have judges who can't maintain the workloads that they have been asked to maintain, and as of December, the masters who are working part-time to keep the system moving will have reached a stage where they have earned all the money they are entitled to earn as supernumerary members of the court, so we will I believe be down to five masters: five masters and judges who can't do their work and 100-plus cases every day on lists in the city of Toronto in this judicial district of York, not enough people to deal with the matters coming before the court and the total breakdown of the civil justice system.

Where's the minister of justice in all of this? I can appreciate that it's not her fault. It's not this government's fault that the Liberals came along and were the architects of a disastrous plan, a plan that the test of time has shown has not worked. But here we are, it's 1994, it's November 1. The socialists have run the government and the province of Ontario for four years, and they have done nothing to arrest the problem that the David Peterson Liberal government created.

I find that astounding; I find it scary; I find it very, very disturbing that all we see from the minister of justice in this province is an act dealing with the efficiencies of government in 13 other ministries as well as her own, and when we talk about the efficiencies of government, I look at the issues dealing with the Attorney General, and I don't see anything that is designed to improve the efficiencies of our civil courts.

What I see is that within the Ministry of the Attorney General, they will now allow complaints and appeals of real property assessments to be filed just once instead of every year until they're decided by the assessment review board—a very good thing, I might add. I support it and I'm pleased to see that the government has responded to the fact that when it drafted this piece of legislation, it made a mistake and prepared an amendment that wasn't going to work.

Fortunately, they've listened to the members of—I'll find it here in a moment, Mr Speaker—the Canadian Property Tax Association, who have said: "Attorney General, you have made a mistake. You want to do something, and the piece of legislation you've designed doesn't do it." They went ahead and in July wrote a letter to the government, and the government then decided that

they would change the wording so that it would do what they really wanted it to do. I think it's a credit to the minister that she listened and that she's now going to amend section 40, because I received yesterday, hot off the press, a whole pile of amendments to this efficiency bill that the government had all summer to work on, yet after the bill was called, that's when the amendments were being given out. It shows you how efficient this system really is. But at any rate, let me go on.

1630

The second thing the Ministry of the Attorney General is going to do is abolish the outdated fee schedule under the Bulk Sales Act—a good thing, and I again support that.

The next thing the Ministry of the Attorney General is going to do is clarify wording about the limitation period under the Construction Lien Act. As soon as I read that, I read the words, and they leap out of the page at me, "Limitations Act."

The member for London South looks at me and smiles. He smiles because exactly two years ago almost to the day, I think Mr Hampton, the then Attorney General, the member for—I'm sorry, I don't know his riding.

**Interjection:** Rainy River.

**Mr Harnick:** —Rainy River came in with great fanfare and he had a bill that was going to revolutionize limitation periods. It was going to be a bill that was going to deal with some very difficult subject matter. The bill was going to deal with limitation periods for all civil actions, as well as some new material, some new subject matter, one of them being sexual assaults and discussions as to whether a limitation period would run from the time that a person knew or ought to have known that a certain act had been committed.

Mr Speaker, I can tell you that that act has been sitting on the Clerk's desk for two years. We have given that act first reading. To great fanfare, when the member for Rainy River was the Attorney General, he came in and we thought we really had a substantive piece of legislation coming from the minister of justice in this province. That particular piece of legislation continues to sit on the shelf, unwanted by this government apparently, not able to be used by those citizens of the province of Ontario whom it was designed for.

Quite frankly, I now wonder whether it was as good a piece of legislation as the ministry of justice led us to believe, but the most extraordinary thing is that that piece of legislation received first reading two years ago—it might even have been three, but I think it was two—and the legislation has not been called for second reading.

Do you know what's going to happen, Mr Speaker? One day there's going to be a flurry of activity on the part of the government House leader and the minister of justice and the minions of people who run around behind her, and we're going to have this panic call. "We have to have second reading by 6 o'clock tonight"—they're going to say—"or we're going to have time allocation. We're going to start bringing in time allocation rules, because we're not going to be the government for very much longer. There's going to be an election and we've got to

get this done because the people of Ontario really need this legislation. We're going to bring in time allocation, muzzle the opposition and not give them the opportunity to debate these issues."

I will bet you, Mr Speaker, that within the next 24 hours, 48 hours, we're going to be having time allocation on some other piece of legislation in this place. I can feel it. You know what we've done around here, Mr Speaker? We adjourned from this place in about the middle of June and we've come back at the end of October, about six weeks later than the calendar says we were supposed to come back. We've been working really hard, Mr Speaker, and I know you've been working hard as Deputy Speaker. We've been here for two days and I can tell we're all tiring out after being back at work for two days. You know what the government's going to do at 6 o'clock on Thursday? They're going to give us the week off. They're going to say: "Take next week off. The calendar says it's constituency week."

When it's time to take a holiday the calendar is what we abide by but when it's time to do some work we don't have time to deal with the Limitations Act, we don't have time to deal with the four major pieces of legislation that we're supposed to be dealing with between now and Christmas, and we're going to see a flurry of time allocation motions from a party that calls themselves New Democrats, a party that revels in the idea of unlimited debate etc. We know what that's all about. We know because the government's record speaks for itself.

Let me go back to the Limitations Act. I appreciate, because I reviewed that act just the other day, that it's a very difficult piece of legislation. It's hard to understand. It demands some time and some effort and I'm sure that with its passage there would be, no doubt, seminars given by the advocates' society, the law society, the bar association, so that lawyers would know exactly what the piece of legislation entailed so they could start to use the piece of legislation to the benefit of their clients, to the users of the system. Unfortunately, the users of the system are all lined up and they can't get a date before the master to deal with their problems or they can't get a trial date because they're all lined up waiting for the minister of justice to start to deal with these issues.

Unfortunately, the Limitations Act sits on the shelf of the minister of justice and I suspect it will never see the light of day, this act that was, to the fanfare of the then minister of justice, Mr Hampton, going to be something that was immediately necessary, an important step for victims of sexual assault. Where is it? Where are your convictions? Well, they've gone the way of the cuckoo bird. We will not see that piece of legislation and I tend to wonder why.

Let me tell you what else the Ministry of the Attorney General is going to do. They're going to allow judges to refer construction lien disputes to a private arbitrator. "Now"—as this document that they've given me says—"the court can only refer these disputes to provincially appointed judicial officers," and then they tried to sneak it in on me; they put in round brackets the word "masters," and just like that limitation period in the item

before, I saw the word "masters" and it just leaped out at me. You're going to be able to refer your construction lien matters to a private arbitrator. "Now the court can only refer these disputes to provincially appointed judicial officers (masters) whose positions are being phased out."

That's all well and good. When two big construction companies or several big companies or land developers are involved in the construction of a major project and there are disputes arising, they can go ahead and set up what amounts to a private court. They can hire their own arbitrator. They can make that arbitrator effectively the judge of this particular issue. They can set up their own court. They can pay for it. They can proceed on their own time in their own premises, and everybody is very happy.

But what about the poor individual who decides to renovate his house and the contractor who's going to renovate that house for him has \$50,000, \$60,000 or \$70,000 worth of overruns when he renovates that house? What's going to happen to that person when a lien is filed on his property? Is that individual homeowner going to be able to go out and pay to set up a private court? If it's in Metropolitan Toronto, now he has an option: He can go before a master and the master, as the justice system should provide, can then determine his dispute in a court provided by the province of Ontario in the traditional way the justice system has always operated in this province.

1640

But now you won't have any more masters. The masters are being phased out. What are we going to do? Are we going to bring in laypeople off the street and say, "You can be the judge of our mechanics lien action?" a construction lien action, in today's common parlance. That's positively bizarre. But here we are getting rid of the masters.

I might tell you that in the municipality of Metropolitan Toronto, where I have practiced law, the masters of the now Ontario Court of Justice, what was formerly the Supreme Court of Ontario—that was in the days when the system worked. Now it's the Ontario Court of Justice, thanks to the former Liberal government and the continuing NDP government. But we have always had one or two masters who have exclusively been available to deal with construction lien matters.

In jurisdictions outside of Metropolitan Toronto, the local judge always did that, and quite well, and the system worked. There was a judge available, a judge of the county or district court. We don't have county or district courts any more. In the name of efficiency, we got rid of them, and now the whole system is a shambles, thanks to David Peterson and that same old gang. The NDP, in its wisdom, to give it credit, probably couldn't turn the clock back that far.

But now we don't have these people any more. We're down to five masters. If she could, the minister of justice would probably fire all five of them and finish the job the former government started. But I suppose they're under contract and they have to wait until retirement age. Gradually, one by one, their numbers are going to dwindle, with no plan on the part of the government as



to how it's going to replace the masters of the Supreme Court of Ontario.

In this government's style, the justice system is going to be looked after for the wealthy people who can afford to set up a private court, but for the homeowner who has a lien placed against his property because a contractor may have charged him too much, there's no longer a master there to try his case; he's just left to the whim of the system, the system that's breaking down, that has no direction, that doesn't know where it's going.

The next thing this bill is going to do is save money by allowing the use of regular mail instead of registered mail to send out lists of creditors under the Creditors' Relief Act. A good provision; I'm all for it.

The next thing is that we're going to correct statutes relating to corrupt electoral practices so that they reflect court decisions on their constitutionality. Again that's something that has to be done.

The act is going to ensure direct deposits of welfare payments and make sure they have the same protection from garnishment as funds held by government. I suppose that's a good idea too, but it certainly isn't reforming the welfare system in this province, the welfare system in this province that has been demonstrated to contain elements of waste and fraud, a system that in no way, shape or form is getting people retrained to go back and find gainful, meaningful employment. But the government is so bent on all these corrections to what already exists, it's not fixing up the substantive issues that need fixing up.

But we only have to put up with this for but a few more months, we all hope.

The act also is going to increase administrative efficiency by allowing prescribed forms to be produced or approved by ministries instead of by regulation. Now we're going to delegate the function of prescribed forms to other than the cabinet. No longer will the cabinet be burdened with looking at what is a prescribed form, what is not a prescribed form, and that will now be looked after by ministries. Again that's probably a very commonsense approach.

**Mr Jim Wilson (Simcoe West):** On a point of order, Mr Speaker: I apologize to my colleague Mr Harnick for the interruption. However, I wish to inform you that upon agreement with the Minister of Labour, the late show that would have been scheduled for 6 o'clock tonight will be, upon your agreement, moved to Thursday night.

**The Acting Speaker (Mr Noble Villeneuve):** Do we have unanimous agreement? Agreed. The late show will now be Thursday evening.

**Mr Jim Wilson:** On a point of order also, Mr Speaker: It was brought to my attention that in a question I had asked to the Minister of Labour today, perhaps I inadvertently mentioned the wrong name of a town when I was talking about rail lines, and I wish to correct Hansard. In Hansard during that question I said Barrie to Washago and it should have read Bradford to Washago, referring to a line CN wants to abandon.

**The Acting Speaker:** Thank you. The honourable member for Willowdale may resume his participation in the debate.

**Mr Jim Wilson:** Point of order, Mr Speaker: I think the member for Willowdale deserves the respect and attention of this House, and therefore I would call a quorum.

**The Acting Speaker:** Could the clerk check to see if indeed we have a quorum.

**Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Senior Clerk Assistant and Clerk of Journals:** A quorum is now present, Speaker.

**The Acting Speaker:** The honourable member for Willowdale.

**Mr Harnick:** I can't remember whether I'm on number 7 or number 8, so I might have to start over.

The next thing the minister of justice is doing is that she is going to remove a loophole in the Juries Act to ensure that it exempts people who provided jury service in the last three years. I think that would be a very worthwhile thing, because it is some inconvenience to a citizen to give up their time and serve on a jury, and I think once every three years is probably very realistic.

They are going to also amend the law to reflect the modern practice of random selection of jury panels by computer. This is a very significant issue because it shows that those people who are running the ministry of justice know of the advent of the computer. Now that they're going to deal with computers to select jury panels, maybe they will get around to using computers to deal with the civil justice system generally, so that when one files a statement of claim in room 110 of the courthouse at 361 University Avenue, they might have some idea as to when the trial date may be; they might have some idea of how long the various proceedings are going to take in the course of the proceeding, of who might be available to deal with the difficulties that arise as the case proceeds.

1650

It does my heart a world of good to know that the ministry of justice knows about the advent of computers. Maybe they will bring the rest of the system into the modern age so that a lawyer doesn't have to be sitting in his office on a Monday morning and get a call that says: "You're on standby for 2:30 this afternoon. Get your witnesses together and get on down here, because maybe we'll have a courtroom and a judge, and maybe you're going to get your trial on. We're sorry we couldn't give you more notice, but that's the way the system works." I think it's a major step forward to have that recognition of the computer age within the ministry of justice.

One of the things I was told about this bill is that this bill deals with totally non-controversial issues. If there were anything controversial in it, my understanding was that the minister of justice was going to remove all controversial issues from the bill.

The next issue deals with the ministry deciding to avoid discrimination by allowing the spouse of a judge, justice of the peace, lawyer, law student or person engaged in law enforcement to be eligible for jury duty. On its face that sounds nice. It sounds very, I suppose,

modern, 20th century. But, quite frankly—and I don't know whether this is a controversial issue or not—certainly as we think about this particular item it's not hard to think of why a spouse of a person in those positions might have been, and maybe should continue to be, not eligible for jury duty.

The fact is that we want jurors to be totally impartial. We want jurors to be able to reflect on a case without any bias. It strikes me that if we have a juror who might be the spouse of a defence lawyer, that defence lawyer may have told his or her spouse all kinds of things over the years about all kinds of cases that defence lawyer may have been involved with that may very well prejudice a juror.

**Mr Winninger:** You can always challenge them for cause.

**Mr Harnick:** My friend says we can challenge jurors. Yes, there are certain challenges that can be made, but those challenges in our system are limited, and to a very large extent they're random challenges. I only point this out because I think this is an issue that demands some debate. I think this could be a very controversial issue. As my friend says, if we're going to challenge jurors because of that, and if it will habitually be the case that if a police officer's spouse is on a jury, that police officer's spouse will always be challenged as a juror, that says to me that maybe this is not the best idea.

Maybe we should have some debate about this. Maybe we should see what members of the legal profession, perhaps judges, perhaps police officers, can tell us about this particular item. It may be a controversial item some day. It may mean a person's liberty. It may mean a certain decision being rendered in a case or may dictate the kind of decision that's going to be rendered in a particular case. I think that is a provision, and quite apart from whether I agree with it or disagree with it, I think it may have some ramifications. It's not merely a housecleaning issue. It's not merely an issue that deals with efficiency of government. It is a substantive matter that is deserving of some debate.

The next item that the Ministry of the Attorney General is going to allow is unilingual francophones to serve as jurors for French-language trials. I didn't know that was something that wasn't allowed, but apparently, if it's here, it must be something that's being corrected, and it makes sense to me.

The next thing the Attorney General's going to do is stop collecting and publishing information about a juror's age, thus protecting their privacy. I didn't ever realize that those publications were so widely read. I thought you went to the clerk of the peace and you got the jury panel list and basically it told you the name of a person, their age and their occupation. Really, there is very little more that you know about a juror when you're picking a jury, but I suppose that's not a particularly controversial problem. I don't know how it relates to the efficiency of government, but I suppose it's not unreasonable.

The list goes on and on. One of the items, taking it sort of out of order—well, no, there are a couple of issues that we can talk about, but one of the things that I think is interesting is the issue about how we administer

infractions in this province for illegal parking. Not a weighty issue, but since I've been in this Legislature, I have seen so many different amendments to deal with how it becomes illegal to park your car and how you have to be prosecuted that I tell you, if the minister of justice spent as much time on correcting the court system as she does on dealing with prosecutions for parking offences, we would probably have a justice system that might be 10%, 20% or 30% more efficient than the one we have.

Again, there are procedural matters that deal with parking offences in here, and I don't know where it is in here, but I thought it was quite cute that they're going to ensure that the notice of the trial is going to be sent to the person alleged to have committed the parking infraction before the trial takes place. Now, there is efficiency in government. They're going to tell the accused about the trial before the prosecution date. I couldn't think of anything that smacks of greater efficiency in government than to do that. I'm delighted that's going to happen.

1700

As I said earlier, the Attorney General indicated, "If there's anything controversial in this legislation, we're going to take it out." Well, there are controversial items in this legislation and some of those items deal with what's called the Statutory Powers Procedure Act. I notice that the materials and the remarks of the Attorney General really didn't dwell very long on this aspect of the efficiency-in-government amendments that this act really consists of.

It's very interesting that we have an act that is 148 pages long. As the Attorney General walked us through it the other day, she did it in 12 minutes. I timed it and it didn't take much more than 12 minutes to deal with all of this housecleaning, housekeeping, efficiency-in-government material.

Just as a point of interest, I have some documentation from the education law section of the Canadian Bar Association. They have some significant concerns about the Statutory Powers Procedure Act.

For those who are watching, the Statutory Powers Procedure Act deals with the code of procedure by which administrative tribunals operate in the province of Ontario. We have in the province of Ontario a justice system that operates quite apart from the courts and it's the justice system that deals with hearings before government boards and tribunals, and the rules before those boards and tribunals are contained in the Statutory Powers Procedure Act. So what the administrators of justice in this province have decided is that they will make the Statutory Powers Procedure Act more efficient. I quite agree with the intention and in many respects I agree with most all of the proposed amendments, but there are some concerns that I have.

The education law section of the bar association is not happy about a great many of these proposed amendments. They're opposed, for instance, to permitting the minister who administers an act to approve forms, including electronic forms. They state, "Although this amendment might very well ease the administration of a statute from the standpoint of the government bureaucracy, neverthe-



less it can be expected to create great difficulties for those persons who must use forms in practice, whether lawyers or non-lawyers."

They too make some comments about the Juries Act, but they then go into a fairly detailed critique of the effect of the Statutory Powers Procedure Act on the education system. They support the power of a tribunal to hold a written hearing in accordance with its rules so long as the parties do not object, and that's very reasonable, but they go on to say, "There may be some question, however, as to how various tribunals deal with whether an electronic hearing 'is likely to cause the party significant prejudice,' since some tribunals governed by this statute are really quite unsophisticated in their understanding of the significance of witness demeanour etc and its impact upon their conclusions."

That is a concern that has been expressed dealing with, I believe it's Bill 163 that's now before this Legislature, out at committee, dealing with amendments to the Municipal Act, dealing with electronic hearings before the Ontario Municipal Board. It has been a concern of the administrative law section of the Canadian Bar Association.

But apparently, the minister of justice doesn't think that if anybody has a concern, these matters are anything more than government efficiency. Some of these issues deal with substance and when people have questions about whether the electronic hearings that are being mandated should be mandated in certain situations or whether they should be optional or whether there should be some discretion as to when they will be used, those are issues that are more than just issues dealing with efficiency; those are issues dealing with substance.

You might even be able to go so far, to use the minister's parameters as to what should or should not be contained in this legislation, as to say that one could almost say there was some controversy dealing with a couple of these matters and if I remember what I was told at briefings, "If there's anything controversial, we'll take it out of the bill." Most of this material as I've gone along I've indicated is not controversial. It reflects a desire to make government more efficient, but when there is something controversial, it should be removed.

When there is an argument that can be made about a substantive matter as opposed to a matter of efficiency, it should be removed, and the education law section has some questions about electronic hearings, as do the administrative law section of the Canadian Bar Association and the municipal law section. I think these are matters that should not be in a bill that should deal with just matters deemed to be for the sake of efficiency in government.

The education law section goes on and states that they support the concept of pre-hearing conferences and disclosure prior to the completion of the hearing. Again, that is a matter I fully support. The issue of disclosure before a tribunal hearing is something that one can see deals directly with efficiency. If a matter can be settled, the administration of justice should be such that it is encouraged and that the resources are available to settle as many matters as we possibly can so they don't have to

be litigated at expense to the parties and so the time of the administrative tribunals is not at the premium that it is presently. But again, these are not matters of substance; that is not a matter of substance. That is a matter of efficiency. Other matters are matters of substance that should not be in this bill.

I might just digress for a moment. A legal opinion from the Ontario Public School Boards' Association says:

"First, under Bill 175, any tribunal governed by the SPPA would be empowered to order exchange of documents, exchange of witness statements and expert reports, provision of particulars, or any other form of disclosure prior to or at any time during a hearing. Even more significantly, any SPPA tribunal would be authorized to order full pre-hearing examination for discovery, as currently occurs in civil litigation. These amendments will result in a significant increase in the cost and duration of administrative proceedings and will also formalize the administrative process."

That's totally contrary to what the education law section says. This, I believe, is coming from the Ontario Public School Boards' Association.

1710

What do we have here? We have differences of opinion, differences of opinion between a lawyers' group, an education group and probably the Ministry of the Attorney General. These are issues that might be deemed to be controversial, that have to be seen, if there are these complaints, to be issues that are beyond mere efficiency.

This goes on to say:

"Second, Bill 175 would confer upon SPPA tribunals the power to make interim orders. The Ontario Labour Relations Board has had a statutory power to make interim orders since Bill 40 was passed in January 1993, and our experience with interim applications before the board has not been positive. Interim applications require considerable preparation at a very early stage of the proceeding and therefore result in a significant increase in costs. The parties will be required to map out the merits of their position immediately following the commencement of proceedings and on very short notice in order to provide the factual and legal basis for the interim relief application. Interim orders are also frequently used as a mechanism to require an employer or decision-maker to continue an undesirable 'status quo' pending resolution by the tribunal—ie, interim reinstatement of an employee who has been dismissed."

Now, dealing with this particular issue, it's of note that what is being said by the Ontario Public School Boards' Association is that it doesn't want to see board proceedings so formalized that you're really into a traditional court-like proceeding. Tribunals, I suppose, have worked because the rules have been somewhat looser than rules before courts.

Again, we see a real conflict in the perception that this particular public school boards' association has as opposed to the position of the education law section. I've made my position known. My position is, I agree with the ministry's proposals. I agree that early disclosure, interim proceedings, all of these types of matters lead to

a greater efficiency and a chance that a case will settle at an earlier time in a less expensive way.

However, I point out to the Attorney General, who is here today, that there are those who disagree that this deals merely with government efficiency. There are those who look at these proposals and say: "These are substantive changes. We should have debate. We should have an opportunity to come to a committee and explain our position."

I would say to the Attorney General that even though I agree with her position in these particular areas, save and except for electronic hearings, there are those out there who don't view these proposals in the same way that you do.

I think that to categorize everything in the name of government efficiency, streamlining etc is to disfranchise certain users of the system of justice in this province from the opportunity to make valid submissions about the way the system of justice should look. I think, Attorney General, that even though you and I may agree, it's not unrealistic that some of these proposals should be looked at in a somewhat different way.

I'm glad the Attorney General is here now, because I began my speech by saying that I just find that this whole process of an omnibus bill that the Attorney General has carriage for, where the Attorney General deals with 13 other ministries as well as her own, is really not a very efficient way to deal with a bill that is supposed to be making government more efficient.

I started by reading an article in the Law Times, which starts, as I indicated earlier, "A scathing review of the 'scandalous' state of the province's courts has been levelled at the Attorney General by the Canadian Bar Association—Ontario." This article, as I said earlier, even makes the comment—and I think it's because the court system has broken down so badly—that it's run by an "administration run by 'rude and surly' staff."

I know many of the people who work at 361 University Avenue. They are decent, hardworking people who have been beaten down by the breakdown in the system; they can no longer do their jobs. The morale in that office couldn't be lower, and if the Attorney General's never been there, I urge her to go and speak to some of the people who work behind the counter, who accept the statements of claim, who put the seal on, who take the money and put it in the Treasurer's coffers. I urge her to have a visit to 361 University Avenue and see the dispirited people who work there, because the breakdown of the justice system, as designed by the former Liberal government, that shameful redesign the NDP has become caught up in—

**Mr Sean G. Conway (Renfrew North):** Harnick for the bench.

**Mr Harnick:** I appreciate my colleague from Renfrew.

**Mr Conway:** Who's not likely to be summoned to the bench.

**Mr Harnick:** Not likely to be summoned to the bench, but in all likelihood to be teaching a PhD program in some institution of higher learning somewhere in the

not-too-distant future. I appreciate his support on this issue.

The fact is that it's tragic to see people who have worked and made a career of working in the justice system being described as having become rude and surly. I don't know those people in that manner. What I do know is that they have been demoralized working in a justice system that has been redesigned by the former Liberal government and that just doesn't work. It just doesn't work. The civil justice system in this province has so totally broken down, and all we have to show for it is a minister of justice who's in the course of doing a study that won't be completed, in all likelihood, in the next 16 days—I guess we're down to about 16 days of sittings—and that may be the last time we as a Legislature reconvene before the next election.

We're not going to see that study. I suspect that this minister of justice may not see that study and may never have the opportunity to implement the recommendations that I hope it contains to correct the situation.

**Mr Conway:** How did such a nice guy turn into such a mean partisan in so short a time?

**Mr Harnick:** I'll answer that in a minute.

The fact is that the New Democratic government has allowed this situation to deteriorate for the last four years. My colleague from Renfrew asks me how I've become so mean and partisan as to make these comments, but I make these comments because I know the staff who work in the courts. I know them as decent, hardworking, dedicated people, and to see them described on the front page of a legal newspaper as "rude and surly" disturbs me. It disturbs me because I know that's not the way they are. I know that's the way they've become because of the conditions under which they work.

I would urge the Attorney General to visit 361 University Avenue. I know that seems trite to her because these are just little people doing a little job, but maybe their spirits would be boosted if they thought the Attorney General was on their side, helping improve their job circumstances and helping them be more efficient in doing their job. Isn't that what Bill 175 is all about? It's all about efficiency.

1720

**Mr Conway:** Charlie, what would happen if I went to visit?

**Mr Harnick:** I would be honoured to take my friend from Renfrew on a tour of 361 University Avenue to look at inadequate jury rooms, to look at—as a matter of fact, I'd be happy to take him there at 6 o'clock one morning when the clerks from the various law firms around the city of Toronto are lined up to file their papers, because they begin to line up at, this article says, 5 am. I know the clerk in the law office in which I work is often there at 6 am to line up so that he can ensure that his papers are filed that day. That is the level to which we have sunk, all in the name of government efficiency, and when I see the Attorney General dividing her time between her own ministry and shepherding a bill that deals with 13 other ministries through the Legislature, I really start to wonder about the efficiency of it all.



This article goes on to say, "The administration of justice in Ontario has been substantially impaired by neglect and negative measures by a succession of attorneys general." It goes on to say, "Massive delays, inconvenience, inefficiency and increased cost to the public are being caused by cost-cutting measures that are counterproductive and probably unnecessary."

Nobody wants to spend money we don't have in unproductive ways, but this says we're spending our money in unproductive ways. We're here to debate efficiency in government, and that's what this 148-page epistle is all about. It's about making government more efficient. But sometimes when we go to make government more efficient and we look at all these little things, these little items that need correction, we lose sight of the forest for the trees. We have a minister who's so intent on dealing with the Dead Animal Disposal Act—which is important to deal with, but we don't recognize the very major problems sitting at the very end of our noses. We tend to get so caught up in talking about this kind of efficiency in government that we forget about the efficiency in government that deals with the people who, for instance, have to use the justice system. I'm dismayed at that.

The article goes on to talk about masters. I'm really glad the Attorney General is here, because tomorrow evening, I believe it is, the Canadian Bar Association is holding a program dealing with masters and with the importance of masters in the justice system in the province of Ontario.

The former Liberal government cast the die, so to speak, to get rid of masters, and now there are only five of them left. In excess of a hundred cases a day, a hundred items a day go before masters, and the masters, by attrition, are leaving the justice system of the province of Ontario. Yet the ministers of justice, the previous minister of justice and the one before him and the one before him and now the present minister of justice, don't have a plan to replace these people. They're leaving and there's nobody there to pick up the work they are no longer doing.

I commend to the minister of justice, who is sitting here today listening to me, a bar association program that's going on tomorrow evening. Perhaps if she goes to that program she might get an insight from people who practise in the courts as to the importance of the function of masters in the Ontario Court of Justice. I think she should go. Don't just send somebody from your ministry. I think the minister of justice should go, because it may be an eye-opener.

Maybe she'll say: "You know, Ian Scott, as good a justice minister as he might have been, was wrong on this one. Just because he decided we were going to have one unified court in the province of Ontario doesn't mean that I have to do everything that he set out to do. There are certain things that I can maybe reverse. There are certain directions that I can go in as an independent-thinking person that might be different than his, that might be different than the opinion of many within the justice system. I can reverse this particular issue."

I would urge the minister of justice to attend that meeting. I'm sure the Canadian Bar Association would be

happy to have her, and it may be a very illuminating evening.

"The current provincial government has continued to eliminate masters," this article goes on to say, "causing delays and backups for those masters who remain and 'stupendous' amounts of time being spent by family lawyers on cases as masters become extinct." They can't get their cases heard. They can't deal with issues that are near and dear to the heart of the minister of justice, such as interim support. It's pretty hard to get an interim support payment for a family if you can't get a master to hear your case.

I know that it's been a very important aspect of this minister of justice's tenure to ensure that support payments are being received by families, by spouses and by children, but this is where it all starts. It doesn't start when judgements default; you've got to get the judgement first. If you can't find somebody to give you the judgement, the family doesn't do very well when they have to go to the food bank. One of the reasons they go to the food bank is because the minister of justice will not provide that the masters who are available to hear the cases make the interim support orders.

So I would urge the Attorney General to go to that program tomorrow and to give the profession and the users of the civil courts an opportunity to change her mind.

The article goes on to say: "Since 1990, the number of masters in Ontario has dropped to 15 from 21. All but two sit in Toronto."

I might tell you, as I indicated in my opening statement during members' statements today, that as of December, seven of those masters who are supernumerary will not be able to work again in this fiscal year. That means they will not be able to sit in their position on the bench to decide these important issues because they will have earned the maximum that they're entitled to earn as supernumerary masters, who are called in because the minister doesn't have any other plan to hear these cases. But she makes them supernumerary, doesn't reappoint new masters, and the system goes wanting while we diddle around and wait for studies.

"Masters, who traditionally have extensive legal backgrounds, specialize in hearing complex motions dealing with such things as construction lien cases...." As I said earlier, we talk about that in here, construction lien cases. We're getting rid of masters and setting up a private court, so those who can afford it go to a private court that they pay for. The poor homeowner who renovates his house and has overruns and has to pay a contractor \$50,000 or \$60,000 that's in dispute can't afford to set up a private court, and there's no master left to hear his or her claim.

At any rate, this goes on to say, "The government has appointed some lay officers to conduct assessments of costs, which involve 'an understanding of the legal issues and complexities' surrounding arguments over court costs and legal bills charged clients."

You know, it's very interesting, because I asked the minister some time ago, "What is your plan to replace

masters of the Ontario Court of Justice?" She said: "Well, we're going to look at getting other people to do their job." We're going to call in people from Lord knows where to deal with these complex issues. I might tell the minister of justice that we often have situations where a lawsuit, a complex and big lawsuit with big dollars, is decided as a result of tactical positions and decisions made at the level of interlocutory procedural hearings done by masters who have expertise in the area.

1730

I have yet to hear where the minister of justice is going to find people with comparable expertise to deal with these issues. It can't be members of the profession. Whatever you do, Minister, have the best people available to decide these issues, experts in their field, people who aren't dividing their time between these kinds of issues and 101 other issues, because these matters are important. Even though you belittle them by your lack of activity in solving the problems, I tell you, these matters are important and you shouldn't avoid them any longer. Even though the former Liberal government did that doesn't mean you have to do that.

The article goes on to say, "The NDP government expects judges to assume most work done by masters, although it usually involves the more technical and complicated finer points of law—the very kinds of issues 'judges just don't have the time, the temperament, the training or I dare say the interest' to do...." That's what the Canadian Bar Association report says.

It's very interesting, because I asked the minister of justice this as well. I said, "If you're not going to have masters do the work, are you going to have judges do it?" They don't have time to do the work that's now in front of them. We're talking here about efficiency of government. When someone provides 148 pages of efficiency in 14 different ministries but allows these problems to continue ignored by the administration of justice in this province, I really wonder how much of a commitment there is to efficiency in government.

I have a lot of trouble with these issues. I have a lot of trouble with ignoring things that mean so much to users of the justice system. To me, those are efficiencies that we have to look at now. We've watched it dither for four years of inactivity in terms of solving these problems.

There are myriad other issues dealt with in this bill. I have a copy of a letter from the Canadian Bankers' Association. They are all for the provisions that deal with their problems.

I, on behalf of my caucus, indicate we support what's in this bill for the most part. We think those issues that are controversial should be removed from this bill, and there are many of them. The administration of justice has indicated that if there is controversy, yes, they will remove it. I haven't seen any move to confirm that, but I keep hearing those rumours. In terms of the basic issues set out in the bill and in the name of true efficiency, I'm all for most of these amendments if they make government cheaper and rid us of red tape.

I do have an interesting issue. It involves aboriginal peoples. The aboriginal law section of the Canadian Bar

Association has indicated there may be a problem in the Game and Fish Act dealing with body-gripping traps, leg-hold traps etc. This bill is going to go ahead and deal with regulations pertaining to such devices. There is some concern. They talk about issues dealing with these leg-hold traps and how in fact that will affect aboriginal peoples. I don't know the answer to that question.

By the way, I asked the ministry to point out to me what areas are controversial in this bill, and this is the only document it provided to me, apparently saying it's not controversial, but I believe I've pointed out some areas where this bill will provoke some difficulties and disfranchise people from commenting on some of these difficulties.

The native communities apparently support any legislation and regulatory action that would ensure continuation of their traditional way of life with respect to trapping. However, all trappers, native and non-native, are concerned about the possible rigidity and inconsistency which allegedly appears to be in the regulations.

"The native communities wish to be consulted on the wording of regulations that may need to be made in order to address the European Union's restrictions on the use of traps by January 1, 1996. There is much confusion over the interpretation of the European Union's regulation. At this time, Canada's External Affairs is negotiating with the EU representatives in respect to the interpretation and implementation of the EU regulation. After the EU regulation is clarified, the ministry will consult with native and non-native trappers about the necessary regulation."

It seems to me, in that climate of uncertainty, maybe this should be an area of some concern. Maybe this is an area that is more than dealing with just efficiency, because we don't know what is going to happen in the future. Maybe we shouldn't be dealing with this quite so quickly on the basis of mere efficiency. Maybe there is more to it than we've been led to believe.

Again I say to the minister, there are matters that different people have identified. I appreciate that the minister wants to get this over with as fast as possible and get out of this place, but I think it's important that people who believe they have a legitimate, substantive argument about what is contained in Bill 175 should have the opportunity to at least have a chance to make their concerns known, to let the minister know it is not just efficiency they are concerned about.

The bill, as I indicated, contains innumerable issues, and I've tried to touch on the ones that affect the Ministry of the Attorney General.

**Hon Bud Wildman (Minister Responsible for Native Affairs):** If, as your leader says, natives are do-nothings, why are you worried about trapping?

**Mr Harnick:** I'm not going to respond to the comments of the minister for native affairs.

This act goes on to say, as it affects the Attorney General, that they will ensure that beneficiaries named in registered retirement investment funds are on the same legal footing as designated beneficiaries in RRSPs, again a matter that I will support.



They're talking about creating a simple way for the public guardian and trustee to prove its legal authority to deal in real estate transactions on behalf of its clients under the Substitute Decisions Act. Clearly establishing the public guardian and trustee's role will help the client's affairs go more smoothly.

Anything that's going to promote efficiency and something running smoothly is something we can support. But we're getting into areas dealing with pieces of legislation that haven't even been proclaimed yet. I don't know how the government has passed legislation, and even before it proclaims it, it's already correcting inefficiencies.

1740

Areas such as this may well provoke some controversy. Any time I see "public guardian and trustee," the first thing I think of is, why are we changing the name from public trustee to public guardian and trustee? It can only mean we're expanding the role of the state running people's assets and being a more pervasive factor in people's day-to-day lives. I see the absolute explosion of the importance of the public trustee under this Attorney General. I see it in the areas of the Substitute Decisions Act. I see it now in a bill called the Unclaimed Intangible Property Amendment Act.

The public trustee has been an abject failure in terms of managing the affairs of people in the province of Ontario for many years now. It's been understaffed, it's been underfunded, it's worked in antiquated surroundings and with antiquated equipment in this electronic age. It hasn't had enough people dealing with running the estates of individuals it already deals with. Now I see their job is being expanded 10-fold. I'm quite frightened about that because I don't know whether this department is up to it.

And not only that: When we get into the Unclaimed Intangible Property Amendment Act, which I understand is now going to be significantly amended—and I say that with some reservation because I don't know whether I like it yet or I don't like it, because I haven't seen the amendments. But one of the things I do know is that the banks are not part of these amendments. The banks have not bought into the public trustee's and the Attorney General's act, the Unclaimed Intangible Property Amendment Act, because there's a jurisdictional dispute: The province can't regulate banks.

But I do believe that the moneys the Attorney General believes will come in via unclaimed intangible property being held by banks is a major area of funding for the public trustee's office, and I can tell you, the public trustee isn't going to get that money today, tomorrow or the day the Unclaimed Intangible Property Amendment Act is passed, because the courts are ultimately going to decide. If the government's successful, all the more power to it: It'll ultimately get that money. But if they're not successful, they're not going to get that money. I think the Attorney General is banking on that money—pardon the pun—to pay for the increased operations in the public trustee's office as a result of all of these new acts, and I think it's going to be very, very difficult to meet those expenditures because I don't think you're getting the money.

At any rate, I have had almost 90 minutes to discuss

this, and I still have a number of points within the Attorney General's purview to deal with. And I might tell you that there are 13 other ministries I haven't had a chance to touch upon, another reason that an omnibus bill of this nature should not be allowed in this place. I believe, quite frankly and with respect, that it's an abuse of the right of members to deal with the areas they are charged with dealing with as critics of various ministries.

**The Deputy Speaker (Mr Gilles E. Morin):** Your time has expired.

**Mr Harnick:** With that, I thank you for the opportunity to debate.

**The Deputy Speaker:** Questions and comments?

**Mr Winninger:** The member for Willowdale began his remarks by indicating his support for the objectives of this bill: efficient delivery of services, efficient use of government resources and saving money. Quite frankly, I think the member for Willowdale, despite the rambling nature of his presentation, which included consideration of many different items that don't even appear in Bill 175, has made the case.

What the legislation will do essentially is streamline a lot of operations of the justice system that the member for Willowdale focuses on, whether it's the manner in which we select jurors, whether it's the rules that govern our tribunals under the Statutory Powers Procedure Act or whether it's improving alternative dispute resolution for such issues as construction lien disputes or the enforcement of fines. There are many constructive measures set out in Bill 175 that address most of the shortcomings that the member for Willowdale identifies in his remarks.

During the course of his presentation, the member for Willowdale mentioned the role of masters at great length. There are many jurisdictions across Ontario that for over a century have functioned quite well without masters. We well know that in the Toronto area the number of masters is diminishing, and it's important for the member to be mindful that the Civil Justice Review, among other issues, is looking at the kind of work the masters do and how that work can be carried on in the future.

Also, the minister has been meeting with employees at all levels within the justice system to determine how that justice system can function more effectively.

**Mr D. James Henderson (Etobicoke-Humber):** I compliment the member for Willowdale on his comprehensive, albeit somewhat rambling, comments on a very rambling piece of legislation. However, he threw in some gratuitous critique of the previous government's reform efforts, the measures that Ian Scott and the Peterson government brought forward. I'm speaking of the streamlinings and the rationalizations and amalgamations of the court system, the fusing of some of the courts, the recasting of the county courts, the creation of the Ontario Court of Justice.

If there was ever an area that was crying out for reform, and probably still is, it's Ontario's justice and court system. It seems to me, in my own personal view, it's awkward, it's protocol bound, inefficient, and the list of adjectives could go on at some length.

Our reforms weren't perfect. We may have made some mistakes, we may have been imperfect, but they were mistakes born of hard effort, tough thought and courageous action. They were never mistakes of the heart. Electors will forgive mistakes of hard thought and courageous action; they won't necessarily forgive mistakes of the heart.

I'm very proud of Ian Scott's efforts to reform and streamline Ontario courts. I'm very proud to have been a slight part of those efforts. If our efforts contained some imperfections, I would want to assure the member for Willowdale that we will be correcting those imperfections very soon.

**Mr David Tilson (Dufferin-Peel):** Briefly responding to the member for Willowdale's comments, I must congratulate him because it is a rather awesome task to try to prepare some sort of presentation to amendments to 100 statutes and, of course, he wasn't able to come close to that. However, I made that comment to you yesterday and I certainly abide by your ruling.

Much of his comments concentrated on the judicial system, and I think hopefully the Attorney General will, in the near future, respond to many of those thoughts that were made. Many do not agree with many of the initiatives that Mr Scott took, that he started, but the fact is nothing has happened since then.

I must confess, I had no idea of some of the things the member for Willowdale was talking about, specifically with Toronto. Lineups starting at 6 o'clock—that just doesn't make sense. I don't know how long that's gone on, but the very fact of that one issue shows that if we're talking about streamlining, which is what you have concentrated on this bill as doing, the dotting of the i's and the crossing of the t's, that's a very serious problem.

I know Mr Scott undertook a very difficult task. It's unfinished and it could be criticized, it could be complimented, but hopefully you will deal with that issue. Either undo what he has done or continue on with that issue, because the reform of the judicial system, the legal system rather, cries out for amendment. You are in a position to do that in the near future and hopefully your government is working with that.

I really have nothing more to add other than to congratulate the member for Willowdale. I don't believe that this bill is accomplishing what it is hopefully trying to do because of the many questions that are being raised as a result of this bill being introduced at this time.

1750

**Hon Mr Wildman:** I want to congratulate my friend from Willowdale on his remarks. I didn't hear them all but I heard a good portion. I know, considering this member's commitment—and I mean this sincerely—to human rights and civil rights and the rights of minorities in our society, I was gratified to hear him raise the concerns of the native bar with regard to issues around trapping for aboriginal people in this province.

I was disappointed, however, that he did not take the opportunity to disavow the statements that have been reported, and apparently repeated, by his leader in a speech he made to a small group of tourist outfitters in

Peterborough, where he characterized aboriginal people in this province as do-nothings who stay at home and spend all of their time in the courts.

**Mr Tilson:** He didn't say that at all. I'm sorry, that's not true. How many times have you been misquoted? Check the facts first.

**Hon Mr Wildman:** That is what the leader is reported to have said. I understand he did not say that he was misquoted. In requests by the press to clarify, he apparently said he stood by those statements. That leader does not represent, I hope, the views of the members of his caucus when he says this about aboriginal people, and that leader cannot use the excuse of the system for making him have made these unfortunate remarks. I call upon the Conservative Party to disavow any relationship to our native people of the kind that the leader is reported to have made.

**The Deputy Speaker:** The member for Willowdale has two minutes to respond.

**Mr Harnick:** I appreciate the kind remarks of some of the members in this chamber. I want to deal first with some remarks about the bill itself. My remarks about the bill itself, in a nutshell, are that yes, this bill stands for greater efficiency and streamlining of government in the areas that it's purported to deal in, and I am supportive of those efforts. However, the bill also deals in certain areas that may be controversial. Even though I may not agree with the purported controversies, there are groups that have pointed out areas that demand the opportunity of some debate.

I would urge the Attorney General to look through this bill and to eliminate those areas and to deal with the balance of the bill as she wishes, but to at least afford those that say: "There's more than just efficiency, more than just housekeeping involved here. We want a chance to discuss substantive issues." I believe that this bill does contain some substantive issues that should not go forward at this time. But all in all the bill is worth supporting, and I think there's no one here who wouldn't agree that that's in fact a worthy endeavour.

In terms of what my friend the minister responsible for native affairs has stated, I only say this to him: I caution him to worry that when he repeats things that are hearsay to start with he is treading on very thin ice. When he makes allegations that he takes out of a newspaper, he treads on very thin ice. When he imputes such motives to a member of this House, it is unbecoming and unfit of a minister of the crown.

**The Deputy Speaker:** Thank you. Your time has expired. Are there any other members who wish to participate in this debate?

**Mr Hans Daigeler (Nepean):** I see that no one on the government side wants to speak to Bill 175 even though, as you can see, Mr Speaker, this is a rather voluminous bill and I'm sure there must be some members on the government side who would also like to speak at least a little bit about this bill. But presumably they feel that if they don't take part in the debate, we might get this bill finished sooner.

Frankly, on principle, I don't find that many problems



in what the government is trying to do here. I did review the explanations at the beginning. As is normally done at the beginning of the bill, there is a short summary, an executive summary as to what is contained in this bill. I didn't read all the provisions because there's something like 147 pages, but I did read through the executive summary, and frankly most of the amendments that are being put forward I think I could support inasmuch as I understand them.

However, there are a few points that perhaps I can get some clarification from the government side on. Even though they are not participating in the debate, perhaps later on, when the minister summarizes, or even in the two-minute responses, somebody on the government side could clarify things for me a little bit.

Overall I think that having such an omnibus bill clearly shows that this government has come to the end of its term and an election must be very near, because normally these kinds of housekeeping amendments are brought in with other bills as routine matters and are passed in a routine fashion by the House. But clearly I think this government is afraid that, given the limited time it still has in its mandate, it might not get to it at all and so it's put everything it can find into this bill. I guess they probably went to all their deputy ministers and said: "What is there in your ministry that has been hanging around for years that you would like amended? Let's put this all together and adjust this and bring it before the House and let it be passed."

As I indicated, for the most part I don't see any major problems with the amendments, other than frankly I wonder whether we really need legislation on some of these things. There are so many items in here that you can really ask yourself, why is it that we have to come before the House to discuss this and to debate these things, and if there's a change a few years down the road again, do we have to go to the House again to make another change? In here there are so many items that perhaps ought to be moved out of what really has to

come to the House that I would have liked to see the government address itself to that question. Can we not streamline the process? Since we're engaged in this attempt, can't we streamline it in a much more radical manner and ask, what is it that really has to come and be debated in front of the House and what is it that can be left to regulations and to other processes?

Frankly, there are some changes in there—and specifically I'll be talking a little bit at greater length, probably tomorrow since my time has almost run out, about some changes, for example, with regard to the transportation sector—that require changes to a bill. It requires discussion in this House just to authorize payments to transit commissions across the province according to a different schedule. Right now, the government is paying in one lump sum the transit subsidies to our municipalities, and according to the amendments that are being made here, it will be possible to do that in instalments. Now, I ask you, Mr Speaker, is it really necessary that we have to pass an amendment in the House in order to do this?

I am obviously a little bit leery to give too much discretion and too much authority to any kind of cabinet, but there are obviously limits to what we can do in the chamber here. If we have to look every time and pass a law that, for example, drivers have to observe and stay back so a transit bus can move out of its bay, that we have to pass this here in the House I find is really a bit exaggerated and I think somewhat demeans the process. Nevertheless, it's in the bill here, and I'm glad it's here because it's necessary for the safety of the people, but I'd rather see that kind of thing totally moved out of the legislation and perhaps into the regulation process.

But I see, Mr Speaker, that my time is up, and I hope to continue the debate tomorrow.

**The Deputy Speaker:** It being 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

*The House adjourned at 1801.*

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Jackson, Cameron	Burlington South/-Sud	PC	Chair, standing committee on estimates / Président du Comité permanent des budgets des dépenses
Jamison, Norm	Norfolk	ND	parliamentary assistant to Minister of Economic Development and Trade / adjoint parlementaire de la ministre du Développement économique et du Commerce
Johnson, David	Don Mills	PC	
Johnson, Paul R.	Prince Edward- Lennox-South Hastings / Prince Edward-Lennox- Hastings-Sud	ND	parliamentary assistant to Minister of Economic Development and Trade; Chair, standing committee on finance and economic affairs / adjoint parlementaire de la ministre du Développement économique et du Commerce, Président du Comité permanent des finances et des affaires économiques
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	ND	government whip; parliamentary assistant to Minister of Agriculture, Food and Rural Affairs / whip du gouvernement, adjoint parlementaire du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Kormos, Peter	Welland-Thorold	ND	
Kwinter, Monte	Wilson Heights	L	
<b>Lankin, Hon/L'hon Frances</b>	Beaches-Woodbine	ND	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
<b>Laughren, Hon/L'hon Floyd</b>	Nickel Belt	ND	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Lessard, Wayne	Windsor-Walkerville	ND	parliamentary assistant to Minister of Environment and Energy / adjoint parlementaire du ministre de l'Environnement et de l'Énergie
Mackenzie, Bob	Hamilton East/-Est	ND	
MacKinnon, Ellen	Lambton	ND	Vice-Chair, standing committee on regulations and private bills / Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Mahoney, Steven W.	Mississauga West/-Ouest	L	opposition chief whip / whip en chef de l'opposition
Malkowski, Gary	York East/-Est	ND	parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Mammoliti, George	Yorkview	ND	parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels
Marchese, Rosario	Fort York	ND	parliamentary assistant to the Premier; parliamentary assistant to Minister of Intergovernmental Affairs; Chair, standing committee on administration of justice / adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales, Président du Comité permanent de l'administration de la justice
Marland, Margaret	Mississauga South/-Sud	PC	Chair, standing committee on government agencies / Présidente du Comité permanent des organismes gouvernementaux
Martel, Shelley	Sudbury East/-Est	ND	Chair, standing committee on resources development / Président du Comité permanent du développement des ressources
Martin, Tony	Sault Ste Marie / Sault-Sainte-Marie	ND	parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
<b>Mathyssen, Hon/L'hon Irene</b>	Middlesex	ND	Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs
McClelland, Carman	Brampton North/-Nord	L	
McGuinty, Dalton	Ottawa South/-Sud	L	
McLean, Allan K.	Simcoe East/-Est	PC	Vice-Chair, standing committee on government agencies / Vice-Président du Comité permanent des organismes gouvernementaux
McLeod, Lyn	Fort William	L	Leader of the Opposition / chef de l'opposition
Miclash, Frank	Kenora	L	opposition deputy whip / whip adjoint de l'opposition



Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Mills, Gordon	Durham East/-Est	ND	parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels
Morin, Gilles E.	Carleton East/-Est	L	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
Morrow, Mark	Wentworth East/-Est	ND	
Murdoch, Bill	Grey-Owen Sound	PC	
Murdock, Sharon	Sudbury	ND	parliamentary assistant to Minister of Labour / adjointe parlementaire du ministre du Travail
Murphy, Tim	St George-St David	L	
North, Peter	Elgin	Ind	
O'Connor, Larry	Durham-York	ND	parliamentary assistant to Minister of Health / adjoint parlementaire de la ministre de la Santé
O'Neil, Hugh	Quinte	L	
O'Neill, Yvonne	Ottawa-Rideau	L	
Offer, Steven	Mississauga North/-Nord	L	
<b>Owens, Hon/L'hon Stephen</b>	Scarborough Centre/-Centre	ND	Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation
Perruzza, Anthony	Downsview	ND	parliamentary assistant to Chair of the Management Board of Cabinet / adjoint parlementaire du président du Conseil de gestion
<b>Philip, Hon/L'hon Ed</b>	Etobicoke-Rexdale	ND	Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto
Phillips, Gerry	Scarborough-Agincourt	L	
<b>Pilkey, Hon/L'hon Allan</b>	Oshawa	ND	Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales
Poirier, Jean	Prescott and Russell / Prescott et Russell	L	
Poole, Dianne	Eglinton	L	Vice-Chair, standing committee on public accounts / Vice-Présidente du Comité permanent des comptes publics
<b>Pouliot, Hon/L'hon Gilles</b>	Lake Nipigon / Lac-Nipigon	ND	Minister of Northern Development and Mines, minister responsible for francophone affairs / ministre du Développement du Nord et des Mines, ministre délégué aux Affaires francophones
<b>Rae, Hon/L'hon Bob</b>	York South/-Sud	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
Ramsay, David	Timiskaming	L	
Rizzo, Tony	Oakwood	ND	Chair, standing committee on the Ombudsman / Président du Comité permanent de l'ombudsman
Runciman, Robert W.	Leeds-Grenville	PC	Progressive Conservative chief whip / whip en chef du Parti progressiste-conservateur
Ruprecht, Tony	Parkdale	L	
<b>Silipo, Hon/L'hon Tony</b>	Dovercourt	ND	Minister of Community and Social Services / ministre des Services sociaux et communautaires
Sola, John	Mississauga East/-Est	Ind	
Sorbara, Gregory S.	York Centre/-Centre	L	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West/-Ouest	PC	
Sullivan, Barbara	Halton Centre/-Centre	L	
Sutherland, Kimble	Oxford	ND	parliamentary assistant to Minister of Finance / adjoint parlementaire du ministre des Finances
<b>Swarbrick, Hon/L'hon Anne</b>	Scarborough West/-Ouest	ND	Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Tilson, David	Dufferin-Peel	PC	

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Turnbull, David	York Mills	PC	Progressive Conservative deputy whip / whip adjoint du Parti progressiste-conservateur
Villeneuve, Noble	S-D-G & East Grenville / S-D-G et Grenville-Est	PC	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
<b>Ward, Hon/L'hon Brad</b>	Brantford	ND	Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances
<b>Wark-Martyn, Hon/L'hon Shelley</b>	Port Arthur	ND	Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé
<b>Warner, Hon/L'hon David</b>	Scarborough-Ellesmere	ND	Speaker / Président
Waters, Daniel	Muskoka-Georgian Bay	ND	parliamentary assistant to Minister of Culture, Tourism and Recreation / adjoint parlementaire de la ministre de la Culture, du Tourisme et des Loisirs
Wessenger, Paul	Simcoe Centre/-Centre	ND	parliamentary assistant to Minister of Health; Vice-Chair, standing committee on the Legislative Assembly / adjoint parlementaire de la ministre de la Santé, Vice-Président du Comité permanent de l'Assemblée législative
White, Drummond	Durham Centre/-Centre	ND	parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales
<b>Wildman, Hon/L'hon Bud</b>	Algoma	ND	Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones
<b>Wilson, Hon/L'hon Fred</b>	Frontenac-Addington	ND	Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement
Wilson, Gary	Kingston and The Islands / Kingston et Les Îles	ND	parliamentary assistant to Minister of Housing; Vice-Chair, standing committee on the Ombudsman / adjoint parlementaire de la ministre de Logement, Vice-Président du Comité permanent de l'ombudsman
Wilson, Jim	Simcoe West/-Ouest	PC	
Winninger, David	London South/-Sud	ND	
Wiseman, Jim	Durham West/-Ouest	ND	parliamentary assistant to Chair of the Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs / adjoint parlementaire du président du Conseil de gestion, Vice-Président du Comité permanent des finances et des affaires économiques
Witmer, Elizabeth	Waterloo North/-Nord	PC	
Wood, Len	Cochrane North/-Nord	ND	parliamentary assistant to Minister of Natural Resources / adjoint parlementaire du ministre des Richesses naturelles
<b>Ziemba, Hon/L'hon Elaine</b>	High Park-Swansea	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
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of Ontario**

Third Session, 35th Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 35<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

Wednesday 2 November 1994

**Journal  
des débats  
(Hansard)**

Mercredi 2 novembre 1994

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers



Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers

*50th anniversary*

**1944–1994**

*50<sup>e</sup> anniversaire*



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 2 November 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 2 novembre 1994

*The House met at 1332.*

*Prayers.*

## MEMBERS' STATEMENTS

### LONG-TERM CARE REFORM

**Mrs Barbara Sullivan (Halton Centre):** Despite hundreds and even thousands of voices calling for changes to the long-term care legislation that's before the House now, the government continues to plow on.

The NDP has said that the Red Cross has no place in future long-term care; in the same way, the Victorian Order of Nurses will be bankrupted; Saint Elizabeth Visiting Nurses' Association of Ontario, Meals on Wheels and other community agencies are jeopardized.

The NDP will not allow local communities to shape the structure of long-term care service according to their local demographics, geography, human and financial resources and other factors. Instead, it's insisting that only its approach can be used, whether or not it's the right one for a particular area and whether or not it will work.

The government must set the policy, the standards of service, the minimum basket of services which must be available, and the evaluative mechanisms to ensure that there is equity in access and equally high-quality services across the province. But surely one must take into account the diversity of Ontario and allow the flexibility for people with expertise and involvement in their own communities to design their own delivery systems.

For the next government, a singular priority must be to make reasonable changes to this law so that we will have a long-term care system that works for everyone. We must repair the gross damage that the government has done to the system.

On behalf of our party and our leader, Lyn McLeod, I want to say to the people of Ontario that we are committed to making responsible change to long-term care legislation in as timely a way as possible.

### HYDRO PROJECTS

**Mr Leo Jordan (Lanark-Renfrew):** I think it is time we drew the Minister of Environment and Energy's attention to a major spending problem at Ontario Hydro.

I am of course referring to the \$74-million purchase in Peru, a foreign utility deal that seemed to pass without any concern from the minister. In fact, much like the \$13-million Costa Rican forest plan, it seemed to blindside the minister. Perhaps the minister was not aware that the Shining Path terrorist movement is notorious for bombing utilities. Just last month, they destroyed six transmission towers outside the capital city of Lima. There is no reason to believe that utilities or Hydro's investment is safe.

Minister, put an end to Hydro's international follies, curtail foreign ventures and direct all resources to reducing rates and the Hydro debt.

I can only assume that this latest venture took the minister by surprise. Knowing how outraged people are with Hydro's globe-trotting money projects, I assume the last thing the minister would do is sanction another megainvestment in the rain forest regions.

Perhaps the minister was struck with a bout of common sense, two months after the purchase, when he requested a review of such purchases by the Ontario Energy Board. However, the minister has yet to explain to the people why he didn't ask for a review before Hydro spent the money.

### KIDNEY DIALYSIS

**Ms Christel Haeck (St Catharines-Brock):** This Sunday, I will have the pleasure of attending the official opening of the new and improved kidney dialysis unit at the Hotel Dieu Hospital in St Catharines. This opening is a tribute to the persistence of the staff, the Kidney Foundation of Canada and perhaps most importantly the renal dialysis patients who have lobbied so hard for this expanded unit.

While it has been a team effort, I would like to single out one individual who, above all others, has poured his heart and soul into making this new facility a reality. Jack Leake of St Catharines has been a tireless advocate for renal dialysis patients at the Hotel Dieu despite the fact that he too suffers from kidney disease and does not enjoy the same level of health that many of us do. He has spent considerable time and energy on this project, and although Jack would never admit it, I'm sure it often took its toll on his own personal health.

I must also thank the Herzog Foundation, and Archie Katzman in particular, for their generosity in providing funding for this unit.

The new dialysis unit serves as an example of how government and private citizens can work in partnership for the betterment of the community. I thank all of those associated with the Herzog Foundation for their efforts and for their commitment.

Finally, I would like to thank the ministers of Health, current and past, for putting up with the tag-team lobbying of both myself and the member for St Catharines. It worked, Jim. We got our million, our new unit and the chance for very ill people to undergo the lifesaving treatment they so richly deserve.

### BUSINESS REGISTRATION

**Mr Frank Miclash (Kenora):** Every member of the House will recognize the importance of cutting the bureaucratic red tape of government to assist small business operators in getting started in Ontario. One



example of this overly bureaucratic process is the business registration process.

As the Minister of Consumer and Commercial Relations will know, residents from such towns as Kenora, Fort Frances and other places throughout northwestern Ontario have to mail their business registration or their name search applications to the ministry's offices in Toronto for processing. This process can take up to eight weeks, which I am sure the minister will recognize is unfair, considering the fact that a Toronto resident can simply take the forms to the ministry and have them within five minutes.

This past September 15, the Minister of Consumer and Commercial Relations announced a pilot project creating 15 new Ontario business registration access workstations. These are to allow small business operators to complete applications at locations throughout the province themselves.

I must say that I applaud the minister in this attempt to help small business operators better negotiate the bureaucratic maze they are forced to contend with. Under this initiative, the minister announced that four of these 15 new workstations are to be located in northern Ontario, but none are to be located beyond Timmins.

To the people of northwestern Ontario, this is absolutely unacceptable. The minister has announced a potentially excellent program to benefit the people of Ontario, but in implementing it she has successfully managed to alienate the people of northwestern Ontario.

1340

#### UNIVERSITY FINANCING

**Mrs Dianne Cunningham (London North):** The Ontario Council on University Affairs is holding a series of public meetings across the province dealing with the discussion paper on the future of the province's university funding system. OCUA was in London yesterday and representatives of the University of Western Ontario and the London Chamber of Commerce made presentations, including the president, Dr Paul Davenport.

Universities, faculty and students are very concerned with the report. Among the troubling assumptions of the report is that universities are inflexible, haven't responded to current realities and are in need of a funding overhaul. Particularly disturbing is the assertion that teaching and research are not interrelated. To quote Dr Davenport, "At Western we see teaching and research as integral parts of the scholarly activity of faculty and of the learning activity of students."

The OCUA report discusses three possible scenarios for the future of government funding. The first two involve either incremental or more extensive changes to the current corridor funding system; the third involves a completely new model based on purchase of service, in which government would purchase a certain amount of teaching, research and community service from the universities.

The university community believes that the third option is the one favoured by OCUA. These proposals could turn universities into nothing more than extended high schools and colleges.

Sustaining Quality in Changing Times is a discussion paper and should be treated as just that. We expect OCUA to listen to the presentations and include the recommendations it is receiving in its report to the Minister of Education and Training. Universities believe that there is room for improvement; however, not at the expense of quality education, quality teaching and quality research.

#### CRIME PREVENTION

**Mr Tony Martin (Sault Ste Marie):** I am pleased today to speak about important things that are happening in the area of crime prevention as we look forward to Crime Prevention Week, which runs November 6 to November 12 this year, next week.

This year, Crime Prevention Week will focus on the role of youth in preventing crime. A poster has been distributed through police services throughout the province. The slogan, "We've got an attitude...we're against crime," makes a strong statement by and for youth.

As a kickoff to Crime Prevention Week, I will be participating this weekend at a conference of youth leaders at the Aylmer police college, cosponsored by the Ministry of the Solicitor General and the Safe School Task Force. The role of young people in crime prevention will be the focus.

I was proud last week on a platform in my riding with the Solicitor General to acknowledge the work of citizens in the Sault who do significant work in crime prevention. For 10 years now, Sault Ste Marie has shown leadership by hosting an annual crime prevention conference, and I am pleased that recognizing local efforts is always a part of this conference.

In the Sault, we have also been in the vanguard in recognizing the importance of community partnerships and early intervention in crime prevention. Even before the Ministry of Education and Training required school boards to consult with community partners, the police and school boards in the Sault worked together to produce a safe schools policy. I congratulate them on that work.

I encourage all members of this House and their communities to get involved in Crime Prevention Week, to acknowledge the role of youth in preventing crime and give credit where good things are happening.

#### RAE DAYS

**Mr Steven W. Mahoney (Mississauga West):** Mr Speaker, since the Premier and other members of his caucus allegedly have failed to read the latest literary work of Sir Thomas Walkom, Rae Days: The Rise and Follies of the NDP, I thought I would share with you and them one of the stories that occurred.

Apparently, according to Mr Walkom, the Ministry of Health was planning to publicize a new computer system which links Ontario's pharmacies. When the media wizards in the Premier's office got wind of it, they said: "This is a great, high-tech, photo op for the Premier....He sits in front of the counter, taps in a name and zap." Immediately, they took it over.

Walkom goes on to say they needed a location and decided the drugstore located in the Hydro building was perfect: close to Queen's Park and easy for the media to

cover. But wait. That pharmacy wasn't signed up for the program. It didn't even have a computer. "No problem," Bob Rae's minions said. "We'll just borrow a computer." But wait. The pharmacist had no idea how the computer worked. He wasn't on the system. "No problem. We'll just bring in a pharmacist from another store."

But wait. Shades of Evelyn Gigantes and Shelley Martel. The computer was full of confidential health records. If Bob Rae used the computer and the media saw the information, he'd have to resign. "No problem. We'll unplug the computer."

Bob Rae got his photo op, but the pharmacy wasn't part of the program, the computer was borrowed, the pharmacist worked across town and the computer wasn't even plugged in. Phoney.

**The Speaker (Hon David Warner):** The member's time has expired.

**Mr Mahoney:** Let me say, it proves that incompetence in this government is not an excuse—

**The Speaker:** Order.

#### PORNOGRAPHY

**Mrs Margaret Marland (Mississauga South):** Opponents of violent, harmful and degrading pornography are shocked and angered by revelations that adult video stores in Toronto are selling tapes which clearly violate the guidelines of the Ontario Film Review Board and in some cases the Criminal Code.

Maclean's magazine tells us that one of the bestsellers at a downtown store called Video X is a tape that portrays two men having simultaneous anal and vaginal intercourse with a woman. This act, also known as double penetration, is not permitted by the Ontario Film Review Board because it can cause a woman physical harm.

At the same store, another bestseller is a 23-tape series featuring repeated scenes of men ejaculating on to women's faces. But last year, after enormous public outcry, the Ontario Film Review Board backed down from its plan to allow such degrading scenes in sex videos.

According to Maclean's, a store on Yonge Street called Books has a whole wall devoted to bondage videos, yet it is a criminal offence to distribute or sell a video that shows sex combined with violence.

So why are these videos available? Did the Ontario Film Review Board approve them? Obviously, the Ontario government is not doing enough to enforce either the Theatres Act or the Criminal Code's obscenity provisions.

**Hon Bob Rae (Premier and Minister of Intergovernmental Affairs):** Look up, Margaret. Look at the children up there. Think what you are saying. Unbelievable, what you are saying in front of everybody.

**Mrs Marland:** I call on the NDP government to give Project P, the anti-pornography police task force, the resources it needs to crack down on illegal pornography. We must protect our society from the harmful effects of this violent and degrading material.

**The Speaker (Hon David Warner):** The member's time has expired.

**Hon Mr Rae:** Disgusting behaviour by a member. Cheap sensationalism in front of Ontario, in front of children.

**Mrs Marland:** And the Premier, who is now debating this issue, should do something about it.

**The Speaker:** Order.

*Interjections.*

**Mr Charles Harnick (Willowdale):** For three years you have done nothing, and all of a sudden you are going to protect—

**The Speaker:** The member for Willowdale is asked to come to order.

**Mrs Marland:** You have three daughters. I cannot believe you would say that.

**Mr Gary Carr (Oakville South):** A phoney is what you are.

**The Speaker:** The member for Oakville South is using unparliamentary language. Would he please withdraw the remark.

**Mr Carr:** I withdraw.

**Mrs Marland:** Do you think I want to put this on the record?

**Hon Mr Rae:** You just did.

**Mrs Marland:** I don't want to do this, but your government forces me to do it.

**The Speaker:** I ask the member for Mississauga South to come to order.

*Interjections.*

**The Speaker:** Order.

**Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs):** September 6, 1990: That was when—

**Mr Harnick:** As a matter of fact, Gilles, they weren't before. It's been under your regime that all this has started.

**The Speaker:** The member for Willowdale, come to order. I ask the table to restart the clock and recognize the honourable member for Kingston and The Islands.

#### OPENING OF LIBRARIES

**Mr Gary Wilson (Kingston and The Islands):** I know this is something that everyone will agree is a good-news story.

I was privileged to attend the official opening of two libraries in my riding last weekend and I would like to share with the House some impressions of the two events.

The Joseph S. Stauffer Library at Queen's University has already gained national attention. In an admiring article, the Globe and Mail described it as an "imaginative synthesis of space, light and purpose."

As you would expect of a \$42-million project, very impressive statistics summarize the result. For example, the total building area is 230,590 square feet, or five acres. By contrast, the Wolfe Island branch of the Frontenac County Library cost \$186,000 and covers about 1,900 square feet.

But it is the similarities between the two libraries that



stand out in my mind. The new principal of Queen's, Bill Leggett, says, "A library is a university's lifeblood, vital to its function and growth as both a teaching and a research institution." At the Wolfe Island ceremony, Stephen Foster of the library board also referred to libraries giving life to the community.

1350

The visionary quality and dedication of the supporters of both projects were mentioned at each opening. One partner involved with both buildings was the provincial government. Thus, I was thrilled that Premier Bob Rae was able to attend the dedication of the Stauffer Library. To those of us listening to his remarks, his vision of the essential role libraries play in our communities is clear. But it was also clear that to realize a vision, you need a plan to get things done.

Our NDP government's plan is to create jobs, protect services and live within our means. The successful completion of these two libraries shows how effectively our plan is working. Many jobs in the construction trades were created and there will be permanent jobs in both libraries for years to come. Library service to two different communities has been greatly enhanced, and the provincial share, \$28 million for Stauffer—

**The Speaker (Hon David Warner):** The member's time has expired.

**Mr Gary Wilson:** —and about \$62,000 for Wolfe Island, not only injected money into our community but will provide an investment—

**The Speaker:** Order. Statements by ministers.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### WIFE ASSAULT PREVENTION MONTH

**Hon Marion Boyd (Minister Responsible for Women's Issues):** I would like to remind members that November is Wife Assault Prevention Month in Ontario.

Today marks the ninth wife assault public education campaign. This campaign continues to be a cornerstone of our strategy to end violence against women. It is an essential part of our commitment to changing attitudes and the abusive behaviour arising from them. Every day, women are threatened, beaten and murdered by their husbands, lovers or boyfriends.

Violence against women did not start yesterday or in 1990 or indeed even within the scope of written history. It has been a persistent and endemic problem, but it is one that we can and must end.

We now have many surveys and studies which confirm how serious woman abuse is. One quarter of all women have experienced violence at the hands of a current or past marital partner. Seventeen per cent of currently married women report violence by their spouses. One half of women with previous marriages reported violence by a previous spouse, and more than 10% of women who reported violence in a current marriage have at some point felt that their lives were in danger.

Wife assault is widespread. It crosses all demographic boundaries. It affects both young and old, rich and poor, immigrants and Canadian-born women. It is a crime which results when a man uses violence to gain power

and control to subjugate his partner. It is also a crime that until recently was considered to be a private matter behind closed doors, between a man and a woman, to be no one else's affair.

The truth is that many people have known personally of wife assault, whether of a friend, relative, neighbour or coworker. There may be many reasons why people don't want to get personally involved if they suspect wife assault has occurred or is occurring. Maybe they don't know what to do. Some feel our social network will take care of the situation, that the police will step in even if they are not called, that the abused woman will be taken to a shelter and her partner will be charged. Others might feel it's not their place to get involved. MYOB—mind your own business—seems to be the watchword for those.

But wife assault is everyone's business. That's why in this year's wife assault prevention campaign we are introducing a new theme, a theme of community responsibility. We are opening the doors wide on an issue that is anything but private. We want every citizen to take personal responsibility for helping to eliminate wife assault. We want people to act both individually and collectively, as a community, around this issue.

The aim of our campaign is threefold.

First, we want friends, relatives and coworkers, the community at large, to support women who have been assaulted and offer them a network of compassion, understanding and aid.

Second, we want to spread the message in no uncertain terms that we in Ontario will not tolerate the violence of men towards women. When people and whole communities remain silent about wife assault occurring in their midst, when individuals or groups feed into the current backlash by ridiculing or belittling the efforts of those who work to end violence against women, we send a message that wife assault is just a private, personal matter, that it's not serious and that it's not a crime, and that's what we must stop.

Finally, we want people to recognize that wife assault is all of our business and that as a community we all have a responsibility to speak out and to act.

During late November, we will air television ads supporting our campaign. As part of the campaign, we will also air French and native radio ads, as well as multilingual radio ads in five languages.

One of the most important parts of the wife assault prevention campaign involves local activities funded by the Ontario women's directorate. This year, 92 community groups across the province were awarded grants for local projects to raise awareness about wife assault and it is an important example of community responsibility in action. I hope the members in this place will support their local communities as they carry out those programs.

We are very proud of our efforts for Wife Assault Prevention Month, but it would be naïve to think that wife assault prevention is simply a one-month activity. Fostering a non-violent community is a year-round commitment.

The prevention of violence against women is a priority for this government. Despite difficult economic times, our

government has increased funding to violence-against-women programs by more than 52% since 1990. We now spend more than \$100 million every year to prevent violence against women.

I am particularly proud of the aboriginal healing and wellness strategy our government has negotiated with aboriginal organizations and which the Minister of Health announced yesterday as part of the aboriginal health strategy. This new approach to address issues of violence, health and wellness reflects our government's commitment to self-determination for aboriginal people and our commitment to end the cycle of violence experienced by many aboriginal people.

Our government recognizes that to end violence against women we must work in partnership with many community organizations and health care providers. We have provided full funding for 26 community-based rape crisis centres, with another seven centres, including four francophone centres, under development.

We know that abused and assaulted women also need responsive medical services and emergency care. We need qualified personnel who can sensitively collect forensic evidence, should it be required in a court case when charges are laid. To improve these services, we have increased funding to hospital-based sexual assault treatment centres by \$2.1 million and will open four more treatment centres in the coming year.

Many women who are leaving abusive relationships seek refuge in a women's shelter. To meet increased demand, we have also increased the number of shelter beds by 25% since taking office in 1990, and we have built or renovated many of these facilities to ensure that the safety, accessibility and comfort of women and children residents is ensured.

As well as enhancing services for women who have been abused, we have been making the criminal justice system more responsive. We have released new provincial standards for police services to assist in their response to wife assault, and we've added training for new recruits on wife assault, sexual assault and gender sensitivity at the Ontario Police College. We have expanded our victim-witness programs in the courts, and we have done extensive training with crown attorneys to ensure that the prosecution of wife assault is carried through in the courts in a way that is mindful of the needs of victims.

As a government, we have put our commitment into action. In communities all over Ontario, women and community organizations continue to take action themselves to end women abuse at home. All of us must make a long-term commitment as a community to change the underlying attitudes and power imbalances that fuel violent behaviour. A failure to do so means the abuse will continue and the human and financial cost of that abuse will continue to mount.

1400

This government pledges to maintain the prevention of violence against women as a priority. We will continue to reach out and support all communities as they strive to create a non-violent society here in Ontario. Together, we can end violence against women.

**Ms Dianne Poole (Eglinton):** As Liberal critic for women's issues, I am committed to adding my support to efforts to eliminate violence against women, and in fact to eliminate violence in every sector of our society.

As the members of this House are aware, wife assault has reached dramatic proportions and has dramatic ramifications. Children who grow up in violent homes are more likely to become violent adults, and so the cycle continues; that is, unless we each take personal responsibility to put a stop to it, as the Attorney General has said.

We have taken steps to try to eliminate violence through education. Public education campaigns such as Wife Assault Prevention Month do much to let both men and women know that no one has the right to abuse another, that no one should stand by and let abuse continue.

Last year, we were shocked and horrified by a Statistics Canada survey which outlined just how endemic violence against women is. The survey showed that more than half of all Canadian women have been physically or sexually assaulted at least once in their adult lives. We must reach out to these women, but reaching out does have a price. If we encourage women to leave violent situations, then we must be prepared to offer them and their children safe havens.

As women's issues critic for the official opposition, I have spoken to many people who are working to break the silence and the cycle of wife abuse. What they've told me is that without funding for women's shelters, they simply cannot cope with the influx of women who have been reached by campaigns such as the one that has been announced today.

I've been disturbed by recent reports that the NDP government has decided to divert direct funding for women's shelters into counselling services. There is no doubt that counselling is needed both for abused women and their children and for the men who abuse. But we can't be naïve enough to believe that counselling alone will protect women and their children who find themselves in abusive situations. These women need to escape the abuse, they need to protect their children by escaping the abuse and they need women's shelters.

I'd like to bring to the attention of the Legislature a case which shows that the need for funding to women's shelters is not being met. Seven weeks ago I wrote to Minister Tony Silipo with a plea for funding for the Redwood Shelter for women. Redwood is the only battered-women's shelter in west-end Toronto and has been full since the day it opened in 1993.

Let me read from a letter from a supporter of the Redwood Shelter. She writes:

"As one of hundreds of volunteers from all walks of life who worked to establish the Redwood Shelter for victims of family violence, I am writing to ask you to intervene.

"The community has taken the Redwood Shelter to its heart. It was built with volunteer labour, using materials, equipment and funds donated by members of the community, and has been largely running on community donations since it opened in December 1993. People from



all walks of life...have joined together to make Redwood happen, because they recognize the need that this shelter serves. Despite this, the Redwood Shelter is in financial crisis and is in danger of closing, without your intervention.

"We have asked the government to join with the community in this venture by contributing some funds towards the running of the shelter, as it does in the case of other shelters. To date, our request has been refused. Redwood should be a model of the sort of innovative and cooperative partnership between the community and government, private and public sectors, that your government has advocated. We in the community have done, and are continuing to do, our share. We are asking only that the government play its part in ensuring the survival of the shelter."

It's been seven weeks and unfortunately there still hasn't been a response to the pleas of Redwood and to my letter.

I have a question for the government: Why not divert some of the millions of dollars you are using to promote the failed billion-dollar Jobs Ontario scheme into vital areas such as supporting women's shelters like Redwood?

If we educate people about wife abuse but then fail to give the support services needed to combat it, we will fail in our efforts to truly break the silence.

I do commend the minister for the work she's done to educate the public on wife abuse, but I will also point out that education is only the first step.

For this campaign to succeed, shelters like Redwood must be available to those who need to escape abusive situations. Otherwise, we will find that we have an educated public facing the bleak reality that for them there may not be a safe haven from abuse.

**Mr Cameron Jackson (Burlington South):** I wish to join all members in this House to recognize Wife Assault Prevention Month, which is dedicated to increasing public awareness and assessing the services for victims of this terrible crime. We of the PC caucus support all efforts on behalf of this and any other government to halt the rise in wife assault. The statistics, as we know, have been increasing, and we deeply regret that as a society we in fact have to acknowledge this as a month.

I want to remind members that if you were to take the Criminal Code book and look through it, nowhere will you find in that any reference to the words "domestic violence" or "wife assault." They do not exist in our legal language. They do, however, exist in the language of our courts, the attitudes of the public, the police and society, unfortunately.

I'm reminded of the very highly publicized case of Kirby Inwood, who had he gone next door and punched his neighbour's wife, would he have gotten off with no charges, and had he gone next door and thrown his neighbour's child against a wall, would he have gotten off with six months' probation? The answer is he would not have, because then that would have been not domestic assault; it would have become pure and simple assault, a criminal act in our Criminal Code. I'm reminded of Franca Capretta in this province, an Ottawa woman who

could barely speak English and who was dragged out on to her front porch by her husband and beaten so badly that she spent more time in intensive care than her husband spent in jail.

So there is much that we must do in this province to change the laws as well as the attitudes. What I see in the minister's announcement today is a major commitment to attempting to change attitude, but it is critical that we also change our laws.

My leader, Mike Harris, was raising the question with the Attorney General just this week. Her own pamphlet makes reference to this whole issue around a myth about alcohol causing men to assault their partners, and then a fact that it's men's desire for more power and control over their partner, but that it should be no excuse. Well unfortunately our courts have ruled something different, and in response to my leader's questions, we in this House were very disappointed to hear the Attorney General of the province of Ontario say there's some question as to whether such a facile solution is in fact the answer, the solution here being to press the federal government for badly needed changes to our federal laws that somehow alcoholism and drinking are some sort of defence for assault and abuse.

The Attorney General has raised some doubts in our minds as to her level of commitment to press the federal government for these badly needed changes when in fact that would be going a long way in terms of changing the laws as well as changing attitude. The minister has, we acknowledge, spent millions on her public awareness campaign, and although that has created an awareness in the mind of the public, it has also increased demand, and that's a tragic consequence of providing women with the courage and the understanding to do something about it. But they must leave an abusive situation, and therefore require the necessary services.

It's already been referenced about the Redwood Shelter for women, to help abused women in the west Toronto area. We were deeply disturbed that the necessary assisted funding that would allow this program to continue has not been forthcoming, and the minister has indicated in her statement that she is moving slightly some of her priorities with respect to these expenditures.

I had hoped the minister would make some further legislative initiatives. At the recent Safety Net conference, the women and groups who were speaking out against violence have asked Ontario specifically, and the national government, to implement a victims' bill of rights, and yet this minister has steadfastly refused to acknowledge that Ontario, for some reason, is the only province in Canada to not have victims' rights legislation.

Earlier this week, my colleague Jim Wilson and I tabled a resolution to amend Bill 173 that would provide services to prevent, identify and address elder abuse, and both the government and Liberal members voted against that recommendation. It's still violence, whether it's to a senior or to a spouse in any kind of relationship.

I simply ask the minister: More advertising may change the minds of Ontarians, but new laws, tougher laws, laws that women support will send the clearest message that violence is a crime.

1410

**Ms Dianne Poole (Eglinton):** Mr Speaker, on a point of order: I have a press release in my hand which states that consumer minister Marilyn Churley is today announcing that the Ontario government is bringing in a regulation to amend the Liquor Licence Act to prevent the exploitation of under age strippers pursuant to Lyn McLeod's challenge. I'm sure that—

**The Speaker (Hon David Warner):** No. The member for Eglinton will know she does not have a point of order. It is of great interest.

**Mr Norman W. Sterling (Carleton):** Mr Speaker, I would like again to ask for unanimous consent to note the passing of a former member of the Ontario Legislature.

**The Speaker:** Do we have unanimous consent? Agreed.

DONALD IRVINE

**Mr Norman W. Sterling (Carleton):** It is with some sadness that I inform the House of the passing on October 1 of this year of Donald Irvine of Prescott, a former member and minister of this Legislature and a close personal friend of mine.

Donald Irvine was born on a farm in eastern Ontario, the youngest of seven children. He worked on the farm during his youth, and after high school he served his country in the Royal Canadian Air Force during the Second World War.

From these very humble beginnings, a man of tremendous talent and integrity emerged.

After the war, he and his brother-in-law started a grocery store which eventually turned into a chain of six grocery stores. He sold those grocery stores to the large food chain of Loeb, being able to retire in a very financially sound position at the tender age of 36.

Don gave the rest of his life back to his community and back to his province. He served on the town council of Prescott, including three terms as mayor. Of his service, the Ottawa Citizen, on the eve of the provincial election in 1971, said, "Most townspeople consider Mr Irvine's three terms as one of the best things that ever happened to them."

Don became an MPP in 1971, representing the riding of Grenville-Dundas. I recently read his maiden speech given to this Legislature, and it typified his political style. While he had a good sense of humour, he was serious and sincere about the concerns of the people he represented. Although a very successful businessman, he talked about the needs of those struggling to make ends meet, never forgetting his beginnings.

Both during his political career and after, Don always took time to stop and talk with any of his constituents or the people who had formerly been his constituents whenever and wherever they would meet him.

Unlike many politicians, Don was a very, very modest individual. Quite frankly, he would be very embarrassed at all the nice things I have said about him today. Don Irvine was a fiercely principled politician with very deep traditional values. Stephen Lewis, who was then the leader of the New Democratic Party, once described him

as being part of the Precambrian Shield which ran through his riding. Don was flattered by that description.

Don rose quickly in the PC caucus at Queen's Park. He became parliamentary assistant to Treasurer John White in 1972, Minister of Housing in 1974 and continued to serve in cabinet until his retirement in 1977.

As a cabinet minister, Don gained respect from his peers in all parties and from his staff. After I arrived at Queen's Park, many members of the Legislature mentioned how helpful he had been to them in solving a problem in their constituency.

Don Irvine knew how to deal with people, how to help them achieve their full potential. Rather than scold an employee or an assistant, he would suggest new approaches to improve performance. A former assistant said to me, "Most of all, I remember a man who gave me the most interesting job of my life."

Don was scrupulously honest to himself and to the people he represented. Another former assistant told me of the ritual whereby Don would rip up credit card receipts after staff lunches to be certain they would not be included in any ministerial expense account he could have made.

One week prior to his untimely death, I played golf with Don. We had talked about having this game for some 10 years. I can tell you that I consulted with him on a continuing basis because of my deep respect for this man. Don was as interested as ever about politics. He talked about his family and his four wonderful grandsons. He talked about his beloved Prescott and his beloved province of Ontario.

Don Irvine brings forward good thoughts and good words for me: honesty, really hardworking, principled, trust and respect for his fellow human beings. He truly was a remarkable man who gave back more to his community than he ever took.

On behalf of his former colleagues in the party which he so loyally served, I want to express our sympathies and condolences to his good wife, companion and helper, Eleanor, his son, Paul, his daughter, Jane, his family and his many friends in eastern Ontario.

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** I'd like to join with the member for Carleton in the comments he's made with regard to Donald Irvine. Don was somebody I didn't know well, because he retired, as the member for Carleton has said, at the same time as we were arriving here in 1977. However, I had met him a few times since then. As a matter of fact, I met him one evening here with the member for Carleton.

Mr Irvine was one of those people who, although here for a short time, was part of a very dynamic period in the province's history and, I guess it would be fair to say, a significant set of changes in government structure that were under way in the early and middle 1970s. We saw a gentleman who was elected in 1971 for the first time and who became almost immediately a parliamentary assistant and who went into cabinet as Minister of Housing in 1974. Then, you'll recall, Mr Speaker, in the restructured makeup of the cabinet process in 1975 we



created the development secretariats that covered the resources field, the social development field and so on. Mr Irvine very quickly became the resources development secretary in 1975.

When I think back over my career, having been here for many years before even getting to this side of the House, it's rather an impressive short ride Mr Irvine went through in the six years he was here. I recall a number of occasions during debates in the late 1970s when references were made to Donald Irvine in members' speeches that reflected the esteem in which he was held. When many of us leave here we become very quickly forgotten, and the fact that on many occasions his name has been raised in connection with a particular initiative and so on and so forth I think is testament to a very important career in this Legislature.

On behalf of the government, I wish to express our condolences to his family—his wife, Eleanor, their son, Paul, and the rest of his family, and their daughter, Jane, and her family—and join the member for Carleton in acknowledging his contribution to this Legislative Assembly and to the province of Ontario and to the people of the province of Ontario.

1420

**Mr Hugh O'Neil (Quinte):** On behalf of our leader, Lyn McLeod, and the Ontario Liberal caucus, I would like to join with the member for Carleton and also with the government House leader to pay our respects to Don Irvine and to his family members.

I had the pleasure of serving with Don from 1975 to 1977 and certainly agree with the comments that were previously made. In those days, as an opposition member, a new member just having arrived at Queen's Park and watching with awe what took place in the Legislature, he was the type of person and the type of government minister who opposition members could readily cross the aisle here and go over and talk to, ask for advice or ask for help within our own individual ridings.

As was mentioned by the member from Carleton, he had a very distinguished career, serving in Prescott for six years, or three terms, and during those six years in serving the public of that area started what I think is a very distinguished career, having graduated here to Queen's Park.

I think it sometimes is forgotten here in this Legislature and by the people of the province of Ontario that part of the important job of a member is to serve his constituents. Although they may not get headlines every day and be part of the higher crust, Don Irvine was the type of person who had a distinguished career serving those constituents on a day-to-day and year-to-year basis within his constituency.

I think all people within the Prescott area and the riding would tell you that if they went into his constituency office and asked for help of any kind, whether they were members of his own party or other parties, Don went to bat for them and helped them in whatever way he could.

So it's with a deep sense of pleasure that I join with the rest of the House in honouring a man of his character,

who served with distinction, and a member to whom other members can look with pride and hope we copy the great job he did for the province and for his riding.

**The Speaker (Hon David Warner):** I would like to acknowledge that the kind and thoughtful remarks made by the member for Carleton, the government House leader and the member for Quinte will be forwarded to the family of Mr Irvine. I must thank the three members for the very thoughtful and generous way in which they have remarked on the career of a former member of this House.

**Mr David Tilson (Dufferin-Peel):** Mr Speaker, I believe there's unanimous consent to pay respects to former member Wally Downer.

**The Speaker:** The member for Dufferin-Peel has asked for unanimous consent. Agreed.

ALFRED WALLACE DOWNER

**Mr David Tilson (Dufferin-Peel):** Most politicians only dream of the political legacy that Canon Alfred Wallace "Wally" Downer left in the former riding of Dufferin-Simcoe. Few politicians have been given the opportunity to serve their constituents for 38 years as an MPP. Wally Downer had that opportunity from 1937 until 1975. During that time he represented the people of Dufferin-Simcoe under eight premiers. When he left politics in 1975, he had been a member of the Legislature longer than anyone else in our province's history.

Wally served the residents of Dufferin-Simcoe for 38 years and is still remembered fondly by his former constituents. Wally had a special relationship with each and every person who had the privilege of knowing him. My colleague the member for Simcoe West, Jim Wilson, remembers how Wally helped his family in their time of need. Jim's grandfather often spoke of Canon Downer as the best friend a person could have.

Rev Downer was an Anglican vicar and, later, canon of the Anglican Church, who served as Speaker of the Legislature and as a liquor control commissioner. During his unparalleled time as MPP for Dufferin-Simcoe, some said that Rev Downer was elected with such ease because he either christened or married most of his constituents. Before settling down in Duntroon and starting his long political career, Wally was appointed by the Anglican Church as curator to serve in Erin and Cataract.

Alfred Wallace Downer was born on May 1, 1904, in Tiny township, Simcoe county. Wally caught the political bug early, but also wanted to serve the residents as their Anglican minister and politician.

In 1937, at the age of 33, he joined 23 members of the Progressive Conservative caucus to serve during the Liberal government of Mitch Hepburn. Wally served in absentia as the MPP for Dufferin-Simcoe during the Second World War. His wife, Phyllis Downer, was instrumental in orchestrating a 1944 win that saw all the polls in his riding won by Wally while he was serving as chaplain of the Queen's York Rangers in North Africa and Europe during the Second World War.

In 1955, Mr Downer was Speaker of this House during the Conservative government of Leslie Frost. Serving as Speaker for five years, Wally was highly respected for

his fairness and experience. He was appointed a commissioner of the Ontario Liquor Control Board in 1960. Wally died Wednesday, August 3, at the age of 90.

On behalf of the Ontario Progressive Conservative caucus and his former colleagues, I would like to offer my condolences to his wife, Phyllis, his sons Harry, John and Wally, six grandchildren and four great-grandchildren. He will be remembered at Queen's Park as one of the most successful and best-loved politicians this province has ever had.

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** I'd like to join the member for Dufferin-Peel in his comments in remembrance of the Reverend Alfred Wallace Downer. Most of the things that need to be said the member has said, but there are a couple of things in addition that I think should be said.

Rev Downer was for 38 years not just a representative here in this Legislature of Simcoe county; he in fact was Simcoe county. His relationship with his constituency was one of those that has become legend, and we should never forget the kind of relationship that members like Rev Downer had with their constituents and therefore the kind of representation they were able to bring into the parliamentary, the legislative process. Far too often—and we've heard the criticisms here today of vested interest, interest-group politics rather than the broader representation of the constituencies that each and every one of us represents in so many ways.

Rev Downer was one of those legendary examples of a very clear and well-established relationship of representation on behalf of the county of Simcoe, and he was here for 38 years. If we think about the tributes we've gone through in this Legislature for many, many members over the years we've been here, I'm not sure we would find any, but very few, who would surpass that length of service.

That in itself I think speaks directly not only to Rev Downer's relationship with his constituents but his commitment to this province and to the political process in this province on behalf of the people of the province of Ontario. Both in terms of his religious pursuits and his political pursuits here, I guess his determination in his 38 years of service to the Legislature was also reflected in some respect in terms of his religious endeavours.

As the member for Dufferin-Peel mentioned, Rev Downer was born in 1904 and died earlier this year at the age of at or about 90. Just a few short months ago, Rev Downer attended the 75th-anniversary celebration of the small chapel in Glen Huron. I think that's also a reflection of the kind of individual who's always a part of the community he's associated with, always there and attempting to be available to serve.

1430

I join the member for Dufferin-Peel. On behalf of the government, I want to pay tribute to Wally Downer, who did a very commendable job of representing Simcoe for so many years, and in his capacity for one term as Speaker as well. To his family, I send my sympathies and those of the government members, and wish them every

help as they deal with their recent loss.

**Mr James J. Bradley (St Catharines):** It's my pleasure, on behalf of the Liberal leader, Lyn McLeod, and the Ontario Liberal caucus, to pay tribute to Canon Wallace Downer. Unfortunately, when some of the people who have served so well in this Legislature pass away, we have to rely on newspaper accounts and the library of the Legislature because we cannot relate directly to some of these individuals. In fact I think the only person in the press gallery today who could remember him would be Eric Dowd, who is the dean of the press gallery itself.

**Mr Steven W. Mahoney (Mississauga West):** He's been here 38 years too.

**Mr Bradley:** I don't know whether he's been here 38 years, but certainly Wally Downer was.

An interesting description has been given. I'm reading from the Toronto Star of August 7, 1994. It's interesting how you do eulogies of these people, because the members of the Legislature today just aren't the way they were many years ago. It says, "'Wally' Downer was one of the longest-serving and most colourful members in the history of the Ontario Legislature." We've heard that he represented the constituency of Dufferin-Simcoe for 38 years and was Speaker, but also he was once "dubbed the 'playful parson' in a 1961 profile," and "Rev Downer was painted as a 'jolly, apple-cheeked back-slapper,' known for his delightful stories and well-appointed luncheons in the Speaker's apartment at Queen's Park."

It says as well that his popularity crossed all of the political parties and he was known for his "floating poker games" that used to be held, I heard, within the precincts of this very building. I don't know whether—

**Mr Mahoney:** He knew we had a casino coming.

**Mr Bradley:** So you can see that even Canon Downer, who was a man of the cloth, was still able to understand the other people out there whom he served in many ways.

Something else interesting about him, because I like relating these people to today's circumstances: It says here, and this follows on the policy announced by my friend the Premier and his ministers, "He attended the University of Toronto—selling ice to pay his tuition." Indeed, we see today that there may be students who may have to sell ice to pay their tuition by the time the federal and provincial governments get finished with tuition.

It also mentions, and I think it was appropriately said, that he managed to get elected when he didn't even campaign in the election. He instead had his spouse go out—his wife went out—and won, as has been mentioned, every poll in the constituency. This was while he was serving his country in the Second World War. So this again may be a lesson for some.

There are some other things that talk about his views on issues of the day that I won't share with members of the Legislature because they may be somewhat outdated. However, on reflection, he may be a supporter of the Common Sense Revolution as I look at it here.

Frank Drea was also a colourful member of the Legislature. Frank always was able to capture the moment, and I guess he was at the nomination meeting



where he was toppled in 1975. By the way, I should say that Mr Downer was very gracious on that occasion and not cantankerous about it, which speaks well of the man in himself. Frank Drea said this about him:

"We've just witnessed the last hurrah of the most successful politician this province has seen since Confederation."

"Last night, Drea said his colleague was a throwback to rural 'old Ontario' and the days before professional politicians.

"Your roots were in the community and not at Queen's Park."

I think that if Canon Downer could hear us today, he would be very proud to hear us say that his roots were not in this building but in his own constituency.

**The Speaker (Hon David Warner):** The thoughtful comments by the member for Dufferin-Peel, the government House leader and the member for St Catharines will be forwarded to the family of Reverend Wally Downer with our deepest sympathies.

#### MEMBER'S PRIVILEGE

**The Speaker (Hon David Warner):** Yesterday the member for Mississauga South (Mrs Marland) rose in the House on a question of privilege. At the outset, I would like to thank the member for providing advance written documentation, allowing me the opportunity to fully consider the matter.

The situation as described by the member is that the standing committee on the Legislative Assembly in closed session on Tuesday, August 16, 1994, considered a draft report prepared by counsel. Press reports on matters relating to contents of that report appeared on the morning of Wednesday, August 17, 1994.

I have examined the facts as presented by the member and reviewed precedent and relevant authorities to determine whether or not the premature disclosure of contents of a draft committee report constitutes a prima facie case of privilege.

Let me begin by quoting Erskine May at page 124 of the 21st edition of Parliamentary Practice:

"The publication or disclosure of debates or proceedings of committees conducted with closed doors or in private, or when publication is expressly forbidden by the House, or of draft reports of committees before they have been reported to the House will, however, constitute a breach of privilege or a contempt."

Our own experience in this assembly supports May with respect to the premature disclosure of committee reports that have been considered in closed session.

On Thursday, June 21, 1984, the House adopted a report from the standing committee on procedural affairs entitled Standing Orders and Procedure (No.3) concerning the premature disclosure of committee reports in which it was stated:

"It is unethical for members to disclose matters relating to the contents of a committee's report, which was considered and adopted while the committee met in camera, before the report has been presented to the House. Such disclosure may be found to be a breach of

privileges of the House and may constitute a contempt of Parliament."

In 1985, there were two questions of privilege raised with respect to the premature disclosure of committee reports. On November 7, 1985, and again on November 29, 1985, Speaker Edighoffer found there to be a prima facie case of privilege and allowed a motion to refer the matter to committee.

As a result of those referrals, the standing committee on procedural affairs tabled another report on the matter on Thursday, January 16, 1986. In this report, the committee discussed the general nature of premature disclosure, including partial disclosure and its impact on the activities of the House. The report stated that "leaks are more damaging when they are in fact inaccurate, partial or misconceived."

There can be no doubt that the situation before us concerns the premature disclosure of proceedings that were conducted in closed session and involved a draft committee report that had yet to be filed with the Clerk of the House or presented to this House. Both Erskine May and our own precedent support the notion that such premature disclosure does constitute a breach of privilege and possibly contempt of this House.

I therefore find that the member does have a prima facie case of privilege and, according to our custom, I will entertain a motion to refer the matter to committee.

**Mrs Margaret Marland (Mississauga South):** I'd like to thank you, Mr Speaker, for your decision, and I would like to move that this matter be referred to the standing committee on the Legislative Assembly for consideration.

**The Speaker:** Mrs Marland moves that this matter be referred to the standing committee on the Legislative Assembly. Is it the pleasure of the House that the motion carry? Carried and so ordered.

1440

#### ORAL QUESTIONS

##### ONTARIO BUS INDUSTRIES INC

**Mr Monte Kwinter (Wilson Heights):** I have a question for the Premier. On November 29, 1993, your government announced the approval of a \$19-million loan to Ontario Bus Industries Inc. The announcement said:

"The loan will secure the jobs of the company's 690 Mississauga employees and help support an additional 1,400 jobs at OBI Ontario-based suppliers. Our government's support will allow the company to resume production on back orders of 1,400 urban transit buses worth \$300 million."

Today, less than one year after that announcement, the government has been forced to take over complete ownership and control of the company. It has increased its liabilities in the company from \$19 million to well over \$100 million. It has laid off most of the employees and is not building a single bus in Ontario.

Mr Premier, your minister, in a reply to the leader of the official opposition this week, stated, "There are over 900 buses on order that, as we gear up production, we plan to deliver." Could you tell us how and when you plan to gear up for production and deliver these buses?

**Hon Bob Rae (Premier):** I would refer this question to the Minister of Economic Development and Trade.

**Hon Frances Lankin (Minister of Economic Development and Trade):** Again, let me say that I appreciate the official opposition's concern with this file. It is an important file. It's a very important strategic company in the province of Ontario and it's one that we are committed to working with to get back into production, to save those jobs and to save both it as a strategic company and the suppliers that supply to it within our province.

The restructuring is a difficult process that we are undertaking. We are currently in discussions with four prospective strategic partners who we believe will bring the production expertise to the company that is necessary to resume the production and to be able to meet the kind of strong order book projections that we have. Our hope would be that discussions will be concluded successfully in the very near future and we would aim towards gearing up production again very early in the new year.

**Mr Kwinter:** Madam Minister, when you advanced the \$19 million to the company, it was because the company could not obtain conventional financing through regular banks and the owner was not able to attract an investment partner. At the time of the \$19-million loan from the government, the back order was 1,400 buses and the company was functioning and providing employment to upward of 690 people.

On July 25, 1994, you wrote to my colleague the member for Mississauga West, who understandably has shown a great deal of interest in this issue: "New management has made substantial progress in restructuring and stabilizing OBI's operations. Production and employment have recently increased from former levels." That was just in July, a couple of months ago.

The facts are that we now have a situation where there are possibly—and I say "possibly" because a lot of these orders are very, very soft—900 buses on back order, there are acute problems with suppliers of essential parts, the operation of the company is seriously compromised and the government liabilities are well in excess of \$100 million and climbing.

Could the minister please explain to this House the apparent discrepancies between her written response to my colleague from Mississauga West and the facts as we find them today?

**Hon Ms Lankin:** When the government first forwarded the \$19 million to Ontario Bus Industries, it was at a time when the company was beginning to turn itself from a craft manufacturer of buses into an assembly line manufacturing system of buses, moving to meet larger order books with new product having been developed with the low-floor bus, innovative and ahead of its time with respect to the bus industry. It was a very important, we believed, loan and investment in an important company to keep it going.

The management there at the time was unable to successfully complete that recapitalization and conversion to a new operation and production method. I want to correct you: There is not over \$100 million of liabilities accorded to the government at this time. At the time

when we stepped in and took over, we brought in new management who were able to start to deal with the financial restructuring that was required and to look at some of the fundamental underlying problems within the company.

One of the things that became clear over that period of time is that there were serious production problems in Oriskany, New York; that is, the wholly owned subsidiary of the Canadian Ontario Bus Industries which we require in order to meet the buy-America policy as we sell to US municipalities. Those production problems having been identified—

**The Speaker (Hon David Warner):** Could the minister conclude her reply, please.

**Hon Ms Lankin:** Sorry, Mr Speaker—management has brought in two teams of consultants to deal with that, and that has led us to the discussions with strategic partners to bring in that production expertise.

This has been part of a restructuring. Restructurings and turnarounds are not easy.

**The Speaker:** Could the minister please conclude her reply.

**Hon Ms Lankin:** We are continuing on that process and I do have confidence in the steps we're taking.

**Mr Kwinter:** I'm sure the minister will acknowledge that there are no other companies in Ontario that have the capability that this company has to produce buses. I think she'll acknowledge that. I think she will also acknowledge that the only two Canadian companies are one in Quebec and one in Manitoba. I think she will also acknowledge that 80% of the production of this company goes to the United States and that the handful of buses that are still in production are in fact being completed in the United States.

Given that scenario and given the fact that when you invested \$19 million, you invested it because no one else would, how do you expect that when you now have—and I would love to show you the figures—a liability that's in excess of \$100 million, how are you going to attract anybody without a massive, massive loss to the taxpayers of Ontario?

Can you assure that this will not happen? More importantly, given the fact that you yourself have said that you need a strategic production partner, can you guarantee the taxpayers of Ontario that their tax dollars will not be used to subsidize the transfer of jobs to either Quebec, Manitoba or to the United States?

**Hon Ms Lankin:** The member opposite began his question by saying that he was sure I would agree that this is a very strategically important company and the only company in Ontario that has the expertise for the manufacturing of buses. In fact I said that in my first response to him, and that is why we are so concerned about our investment there, about the jobs that are there, about the strategic positioning of this company and its importance to our economy and to suppliers. That is why we are working to save those jobs.

I refute again the number he says of over \$100 million. He is incorrect with respect to that and it is not responsible to continue repeating it, just picking it out of a



newspaper article. We are not interested in bringing in anyone—

**Mr Steven W. Mahoney (Mississauga West):** Forty-five million dollars to the trades—

**The Speaker:** Order.

**Hon Ms Lankin:** —who is going to be focusing on moving those jobs out of Ontario. Our whole focus is to save those jobs, to keep them here in Ontario.

**Mr Mahoney:** Bloody disgrace.

**The Speaker:** The member for Mississauga West.

**Hon Ms Lankin:** I would say to the member opposite, take a look at a number of the difficult restructurings that are taking place in this province and where the government has stepped in and worked with partners and tried to turn it around. I ask you, while you may be critical in the middle of it, how do you feel at the end, when you see Algoma turned around, people back to work, a company saved, a community saved? Kapuskasing, Spruce Falls mill, Provincial Papers, de Havilland—strong order books.

We're going into a very strong company that has some production problems. We're working to bring the right expertise to the table to turn the company around and to keep those jobs here in Ontario.

1450

#### DANGEROUS OFFENDERS

**Mr Robert Chiarelli (Ottawa West):** My question is to the Attorney General. Minister, you are well aware that the justice system has been wrestling with the important question of protecting our citizens from convicted sexual predators being released back into our communities. Indeed, the public is very well aware of the havoc that a Clifford Olson or a Joseph Fredericks can inflict upon an innocent public. Quite frankly, they need action now.

The Stephenson inquest jury recommended changing Ontario's Mental Health Act to permit appropriate detention of sexual predators. Indeed, you are aware that the state of Washington and, very recently, the state of New Jersey amended their mental health acts to permit appropriate definition and incarceration of sexual predators.

My question to the minister is this: It is clear a provincial solution is now necessary, so our caucus is drafting a bill to amend Ontario's Mental Health Act to deal with dangerous sexual predators. We intend to introduce this bill shortly. Will you cooperate with us by giving this bill speedy passage?

**Hon Marion Boyd (Attorney General):** As I have said many times in this House, it would be absolutely inappropriate for this government or any other member of any other government to agree to pass a bill they haven't even seen. There are real issues of jurisdiction that are involved in this whole area, and there's been a good deal of discussion by the health ministers and the attorneys general and the solicitors general of Canada on how to cooperate better in terms of dangerous offenders, particularly dangerous sexual offenders.

We've been engaged in discussions about a number of different possible remedies and we tend at this point in

time to agree with the federal Justice minister, who suggests that the kind of vigorous use of the dangerous offender proposals that are already in the Criminal Code, the kind of vigorous use that we make of them in Ontario where we have in fact been responsible for more than half of the successful applications that have been made, is the appropriate route to go.

But we continue to discuss. We have a meeting coming up with the health ministers to look at how the crossover works between the mental health situation in each province and how that works with the Criminal Code, and we have pledged ourselves to continue to work with our colleagues to try and plug some of those holes.

The member should know there have been a number of cases, one in Ontario which was successful where we were able to continue the treatment of a person through the mental health provisions. That was upheld by the court, and we certainly are prepared to be very vigorous in terms of protecting the population against these particular predators.

**Mr Chiarelli:** First of all, Minister, we will be sharing our draft legislation with you before we introduce it in the hope that we will get some cooperation, but my supplementary is this: In the summer of 1993, your then deputy, George Thomson, wrote to Ontario's chief coroner, Dr Young, on the Stephenson inquest, and in referring to provincial legislation—you do have the authority to deal with the problem here—your deputy said: "We are more optimistic about the constitutionality of provincial legislation under the Mental Health Act. Ministry officials"—that's your ministry officials—"have encouraged the Ministry of Health to enact amendments to the Mental Health Act that were referred to in the testimony of Gilbert Sharpe at the Stephenson inquest."

Minister, Gilbert Sharpe is the director of legal services at the Ministry of Health and he gave the Stephenson inquest testimony back in 1992 recommending these changes to the Mental Health Act here in Ontario, not at the federal level.

My question to the minister is this: Since as far back as 1992 the director of legal services at the Ministry of Health, Gilbert Sharpe, told the Stephenson inquest that the government, the provincial government, should amend the Mental Health Act to appropriately deal with convicted sexual predators, and since in the summer of 1993 your own deputy, George Thomson, encouraged amendments to the act to deal with sexual predators, I therefore ask you again, Minister: Since your own senior officials say we have the authority and the mandate to do it here and now, will you commit to working with us to do it now, here, in this Legislature, and soon?

**Hon Mrs Boyd:** As the member is well aware, the Criminal Code Review Board is the body that is responsible for reviewing the recommendations in terms of the Mental Health Act, and in fact the six recommendations were designed to ensure that crown counsel, acting with the Criminal Code Review Board, were being very vigorous in terms of that action, and indeed they are.

We've set up a lot of special treatment. We've got an expert team from the crown attorneys' office that specializes in this role that works with a coordinator to ensure

that when these issues come up, there is a vigorous effort to do it. We have shown that we can in fact do some of these protective measures without a change to the Mental Health Act. You know that the Ministry of Health has been reviewing the Mental Health Act, that we have a whole mental health reform process going on, and there are likely to be innumerable changes in that act as we go along.

So what we are doing is working together as two ministries, using the act as we can, using other provisions in the Criminal Code to have the same effect.

I'll be happy to look at the member's private member's bill and we will see how that works into the overall pattern of protection that we are developing.

**Mr Tim Murphy (St George-St David):** Minister, as you know, there could be as many as 1,100 of these dangerous predators in facilities across Ontario and Canada, and your government favours the proposed change called "capping," which would limit the time these predators are in institutions and release them on to the streets.

In a few short weeks, courts will be asked to rule on the constitutionality of the current law in a number of cases, including the LePage case in Barrie, as I'm sure you're aware.

I've been in touch with lawyers for victims and police associations who have expressed concern that your political support of capping will be used by these predators to overturn the current law that keeps them off the streets. Minister, the people of Ontario want your assurance that until such time as you join with us to amend the Mental Health Act, you will vigorously fight every attempt to overturn the current law now on the books which keeps them in. We want your assurance that you won't permit capping through the back door.

**Hon Mrs Boyd:** There is certainly an obligation, a very strong obligation and a primary obligation, to protect the public, and there's no doubt that is the prime concern in these cases, but there is also an obligation to ensure that in doing that, we are not infringing on the rights of individuals.

The whole issue of capping and the issue of what happens when people are found unfit to serve trial, are held under the Mental Health Act, is a very complex issue. Our current situation enables that whole process to be looked at with relationship to the particular issues in each individual case, and we continue to believe that is important. Yes, there is a matter before the courts, and we will get a ruling on that and we will conduct ourselves accordingly once that ruling is obtained.

#### GOVERNMENT ADVERTISING

**Mr Michael D. Harris (Nipissing):** My question is to the Premier. Premier, last night on NYPD Blue, a prime-time police drama on Global TV, one of your Jobs Ontario ads aired. According to Global TV's ad rate card, a 30-second spot on this show would cost \$12,000. This is \$12,000, Premier, of taxpayers' money.

I wonder if you could tell this House how much of your government's \$30-million-plus advertising budget is spent on Jobs Ontario and exactly who those ads are

intended to reach for Jobs Ontario. I wonder if you could tell me those two things.

**Hon Bob Rae (Premier):** Mr Speaker, I will refer the question without further comment, though I must say it's difficult sometimes, to the Minister of Education and Training.

**Hon David S. Cooke (Minister of Education and Training):** The ad campaign is a recruitment campaign to get more employers involved in the Jobs Ontario program, and in fact the program is working.

**Interjections:** Hear, hear.

*Interjections.*

**Hon Mr Cooke:** To date, we now have—

**Mr Chris Stockwell (Etobicoke West):** You haven't answered the question. Answer the question.

**The Speaker (Hon David Warner):** Order.

**Hon Mr Cooke:** I guess the opposition doesn't want to hear the good news that to date there are now well over 20,000 employers involved in this program.

*Interjections.*

**The Speaker:** Minister.

**Hon Mr Cooke:** Since the fall recruitment campaign has begun, we have had nearly 4,000 inquiries. We've had 1,744 employers sign up and nearly 3,000 new jobs, and that continues to build each day. What that means is that there are more people today working and collecting paycheques rather than welfare cheques, and that's what this program's all about.

1500

**Mr Harris:** A recent confidential document estimated your spending as at least \$1.5 million in six short weeks this fall to promote your Bob's Ontario or Jobs New York program, whichever one you prefer. These are the handouts, the \$10,000 handouts, to business that business is telling you it doesn't want or need.

I want to quote from your confidential document. Your confidential document says, repeated by you in this House today, that this ad campaign is aimed at employers or potential employers, but according to ad industry analysts we talked to today, the average employer or those who may be hiring do not watch prime time television, do not watch shows like NYPD.

Minister, if you had really wanted to reach employers, you wouldn't have advertised on NYPD at a cost of \$12,000. In fact, you could have direct-mailed them three times a year with your \$50 notices on all the businesses that have to file claims, and you could have done that at no cost, at absolutely no cost.

I would ask you this, Minister: Isn't the real truth here, the real strategy, that your \$1.5-million Bob's Ontario advertising budget is less a recruitment drive for employers than it is a propaganda blitz for the NDP and it's targeted to voters, patting yourself on the back, more than it is targeted to employers? Isn't that the truth?

**Hon Mr Cooke:** I'd just like to quote from a document: "Thousands of Ontarians now on social assistance are able to work, yet employers cannot afford to hire them. By linking social assistance directly to employment, as recommended in the SARC report, Queen's Park



could effectively create a multibillion-dollar pool of money—topped up by employers—to put people back to work....”

That’s from the New Directions document. That’s what the Jobs Ontario Training program is doing, getting people off welfare, putting them into the workplace. The program is working. The Minister of Community and Social Services informed cabinet today that the number of people on social assistance is down again in Ontario. It’s working.

*Interjections.*

**The Speaker:** Order. Final supplementary. Is there a final supplementary?

**Mr Harris:** I can’t help but think, if according to your definition the program’s working, why are you spending \$12,000 on a TV show that no employers are watching? That’s the question.

Marketing magazine reports that your NDP government spent more on total advertising last year than Coca-Cola or Walt Disney or Leon’s Furniture spent to advertise their products all across Canada, over three times as much as Campbell Soup spent to advertise its products all across Canada.

Do you know what, Minister? It is ridiculous. There are some very important and necessary areas where the government should advertise. Tourism is probably the best example, yet you slashed the tourism marketing budget, one of the greatest potential job-creating sectors in Ontario, by almost 50% over the last two years.

Minister, since you are now the spokesman on behalf of the \$30-million Bob’s Ontario, pat-myself-on-the-back advertising slush fund, I would ask you this: If you in fact were sincerely interested in advertising to create jobs, don’t you think you should be promoting Ontario tourism instead of promoting Bob Rae to potential voters?

**Hon Mr Cooke:** I’m sure—the Minister of Tourism—at the appropriate time of the year when advertising for tourism goes on The TV, that will be examined by the appropriate ministry.

I understand why the leader of the third party would shift the ground in the third question, because he knows all the evidence is absolutely clear that the JOT program is working, that the advertising gets the word out to employers, and employers are calling us and enrolling in the program and we’re getting people off social assistance.

The numbers are clear. There are now 32,500 fewer households on social assistance since March of this year—

*Interjection.*

**The Speaker:** Order, the member for Etobicoke West.

**Hon Mr Cooke:** —a decrease of 4.7%. October’s caseloads alone have dropped by 7,195, in one month. This program isn’t doing the entire job, the economy’s picking up as well, but this program is allowing people who have been left out of previous recoveries to participate in the economic recovery and get back into the workplace.

*Interjection.*

**The Speaker:** The member for Etobicoke West, come to order.

**Hon Mr Cooke:** You can criticize it all you want, but the 62,000 people who are working think this is a good program.

#### ADULT ENTERTAINMENT

**Mrs Elizabeth Witmer (Waterloo North):** My question is to the Minister of Consumer and Commercial Relations. How surprised I was to learn from a radio reporter this morning that you had released a press release regarding your government’s attempts to ban under age strippers.

This was an issue that I brought to your attention in an open letter on August 23 after many people in this province, including a newspaper reporter in Niagara Falls and the Coalition for the Safety of Our Daughters, were unable to prompt your government into action. Indeed, the reporter wrote to me on August 29:

“Elizabeth,

“Thanks for your support in a very worthwhile cause. You were the first MPP to take a stand, while the others waited to see what would happen.”

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mrs Witmer:** “Now, because of the massive media coverage, they are calling to jump on board. Where were they when”—

*Interjections.*

**The Speaker:** Would the member place her question, please.

**Mrs Witmer:** Yes. My question is, too, as the reporter has said, where were you, where was the opposition party, when we needed you?

Minister, you continue today to demonstrate your lack of genuine concern for the exploitation of teenage strippers by not making a public announcement in this House, even on a day when your government speaks about wife assault.

My question is this: Why did you not make an announcement in this House? This is an issue of public importance. Why have you waited so long to make a simple regulatory change? You could have done this in August.

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** I would first of all—

*Interjection.*

**The Speaker:** Order.

**Hon Ms Churley:** Mr Speaker, I shall attempt to answer the question when I have the attention of my favourite member across the floor here.

First of all, I think we approached this issue in as non-partisan a manner as we could, because I recognized, at least up until now, until today, that when this issue was first raised within our caucus and our party, we recognized that we wanted to do something about it. I think the member knows we explored a number of options to do this by regulation instead of legislation so we could get it done quickly. We explored different options in different

ministries, all of which turned out to be somewhat problematic. We wanted to end up with a regulation that would actually work and do the job. We didn't want to do some kind of publicity stunt and say, "Here, look, we've done something" that wouldn't really work.

1510

So I'd like to thank the member for her suggestions and her participation, and in fact the Liberals as well who put forward some suggestions that helped us in formulating a solution to this problem. I'm happy to say that we were able to announce and let the public know today that we are indeed doing this.

**Mrs Witmer:** I would suggest, Minister, that if you had wanted to do it in a non-partisan way, you would have had the courtesy at least to have consulted with myself and possibly the critic for the opposition. However, there was no consultation. In fact, you didn't even have the courtesy to issue the press release to us first. It was to the media.

However, I do have some questions about what's taken you so long. How will your new regulation to the Liquor Licence Act be enforced? Will you hire new liquor licence inspectors to make sure that the liquor licence regulations are not being breached? What powers of inspection will you give these inspectors to do the job effectively?

**Hon Ms Churley:** It's very strange to be hearing somebody from the Tory party, with their Common Sense Revolution talking about cutting back the budget by huge amounts, stand there and ask if we're hiring more inspectors to do this.

**Mr Charles Harnick (Willowdale):** How are you going to do it? I'll bet you don't even know.

**The Speaker:** Order.

**Hon Ms Churley:** We have approached this issue from a three-pronged angle. We think this is not the only answer to this problem, which I think everybody in this House takes seriously. We want to come at it as well from the Criminal Code. The federal government has a responsibility in this area. We are asking, through the Attorney General, that the Criminal Code be amended to ban all under aged stripping across Canada. We think that should be done.

We're also asking the Minister of Municipal Affairs to work with the municipalities to come up with bylaws or to give them a draft model bylaw that they can try to enforce, which they have the jurisdiction to do within their municipalities. Some, about five of them now, have adopted these bylaws. Windsor has the strongest one.

**The Speaker:** Could the minister please conclude her response.

**Hon Ms Churley:** We think in fact that's the best solution. But in the meantime we didn't want to wait until the municipalities act, although we would prefer that they do, and we adopted this regulation for the time being so we can act swiftly and quickly to deal with the problem now. But this is—

**The Speaker:** Could the minister conclude her reply, please.

**Hon Ms Churley:** —a three-pronged approach.

**Mrs Witmer:** Minister, it appears that there is no plan for enforcement of yet another regulation in this province. You haven't demonstrated that you can enforce the regulation.

The other thing I want to point out to you is that your announcement today deals only with licensed establishments. It does not deal with private parties, such as stags. That is why today I plan to introduce a private member's bill, entitled the Adult Entertainment Licensing Act, that will apply to all those employed as strippers as well as those who carry on a business of providing or those who arrange for such performances to obtain a licence. The age is 18 to obtain the licence.

Minister, this will ensure that effective action is taken. Are you prepared to support this bill that will include all forms of entertainment, not just the licensed establishments that you talk about? It will also enable the police to take action if they believe there are reasonable grounds that a person does not hold the required licence. Will you support this private member's bill?

**Hon Ms Churley:** First of all, I'm sorry that the member is not a little bit happier that we were able to act on an issue that she has expressed concern about. There might have been just a tiny inkling of an acknowledgment and appreciation that the government did move on this and, within a very complex structure, in trying to find a solution, we have come up with a solution.

But, as I said, it is not the perfect solution. I agree with you that the Liquor Licence Act can only deal with a small portion of this problem. However, and I would really like the member to listen to this because she asked specifically, the municipalities have the power to do what she is asking us to do.

She has already brought up the concern about enforcement, which, yes, is a concern. We don't have the money. We don't have the resources at this time to hire new inspectors. However, we will make sure that the job is done. But given that the municipalities have the power to enact bylaws to deal with the whole range of problems she's just spoken about, we will be working with the municipalities—I'm sure they have an interest in this—to make sure that, the kinds of issues she's brought up today, we can broaden the whole approach we're taking. We'll be working on that with the municipalities.

#### AUTOMOBILE INSURANCE

**Mr Bruce Crozier (Essex South):** My question is to the Minister of Finance. Last week, the Ontario Insurance Commission revealed that auto insurance rates have climbed over 8% on average. The upper end of the rate increase that OIC announced or has approved is 20%. Indeed, many Ontarians have seen their premiums increased to that maximum. I know of one case in my own constituency where it's increased \$400.

It doesn't take an actuary to realize that the increase in rates is a reflection of your government's badly flawed Bill 164. In fact, many industry analysts have said the real costs of Bill 164 have not yet been reflected in current prices. At this pace, insurance will become unaffordable to the average Ontarian. To many, the costs



are already too high. Moreover, the Ontario auto insurance industry, which is among the province's leading investors, continues to see the growth of claims outstrip the growth in premiums. This suggests an urgent need for reform.

**The Speaker (Hon David Warner):** Could the member place a question, please.

**Mr Crozier:** Given the rapid increase in the cost to insure an automobile in the province of Ontario, and the uncertain future that follows from it, what is the government doing to address these concerns?

**Hon Floyd Laughren (Minister of Finance):** I appreciate the question from the member opposite, although I'm somewhat surprised that a Liberal member of the Legislature would make any reference at all to automobile insurance and the way the government of the day should handle that issue.

I should tell the members opposite that the increased auto insurance rates in the province of Ontario are less than is being experienced in other parts of Canada. Secondly, approximately 5% of the increase, and the increase is averaging around 10%, is because of the enhanced benefits under Bill 164, which provides better benefits particularly for those people who get injured and have long-term disabilities.

There was enormous dissatisfaction with the bill that the former government brought forward and it was our job to try to salvage something out of the mess you left us.

1520

**Mr Crozier:** I should point out to the minister that in the Financial Post of October 27, it said drivers in New Brunswick, Newfoundland, British Columbia and Ontario have been hit the hardest.

I would even acknowledge that perhaps the Ontario motorist protection plan could be improved. However, you can't ignore the fact that under the OMPP, rates had stabilized, the insurance industry was better able to plan and Ontarians benefited from the inherent simplicity in it. The fact remains that your government, which introduced Bill 164 under the guise it would bring lower rates—one of your own commission studies on the impact of Bill 164 revealed that rates would increase anywhere from 4.5% to 20%, or upwards of \$200 per vehicle. Submission after submission before the standing committee backed up this concern.

Mr Minister, will you now commit to making changes to the present auto insurance regime that will again restore balance between affordable premiums and fairness in compensation?

**Hon Mr Laughren:** I remember thinking about this issue a couple of years ago and at that point and in talking to the industry and to people who follow this issue very carefully, it was very clear that back in 1993 the former legislation, the OMPP legislation, had woefully inadequate cost control measures in it, and that led to some very serious problems. So there was a point for a couple of years in which there were substantial cost increases to insurers because of the inadequate cost controls in the previous legislation.

I think that what was brought forward by the current House leader and Chair of Management Board for the government was the way in which we got control of the costs, at the same time improved the level of benefits, particularly to those people who need it the most, and also reduced the amount of money that was going to lawyers rather than to victims. That was an important change with our legislation.

#### SCHOOL CURRICULUM

**Mrs Dianne Cunningham (London North):** I have a question for the Minister of Education and Training. Mr Minister, this morning—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mrs Cunningham:** This report that was issued this morning on behalf of the Coalition for Education Reform gave the Ontario education system a D-. It's called Could Do Better: What's Wrong with Public Education in Ontario and How to Fix It.

The people who make up this coalition are educators and parents. This report did not cost \$3 million, as the royal commission will cost the taxpayers. It says basically three things: They're demanding a core curriculum with high standards for each grade, they want those high standards to be tested at each grade level and they want to use the information from the testing to improve the quality of education.

Mr Minister, what will your government be doing about these recommendations to address the concerns of so many parents and educators in this province?

**Hon David S. Cooke (Minister of Education and Training):** I wouldn't necessarily say that the Quality Education Network is an organization that has a broad level of support across the province. They have a particular point of view; there are lots of others.

But I guess what I would say to the critic for the third party is that, yes, we are doing a lot in the Ministry of Education and Training to turn the public education system around in the province of Ontario. We have to take a look at the history of our education system and see that during the Davis years testing was eliminated, standards were eliminated, the system was decentralized and we got the education system into the difficulties that it is experiencing now.

This government has introduced math standards and language standards. We brought back province-wide testing for the first time since the 1960s. Testing is back into our school system. We are changing the system so that we can involve ourselves in national testing in mathematics, in reading and writing and science, and in international testing.

We've brought in the common curriculum and we are exploring what we need to do on the core curriculum, to see whether the province should reverse what the Davis government did over those years to take away the role of the province in terms of curriculum, and have a more centralized system where the province should play a bigger role. That's what we're doing. We're trying to clean up the mess that was left to us by the Davis years and the years that your party was in power, where the

system was completely decentralized—

**The Speaker:** Could the minister conclude his reply, please.

**Hon Mr Cooke:** —and accountability in the public education system went out the window. That is the truth. Look at the history of public education. Your governments destroyed it—

**The Speaker:** Could the minister please conclude his reply.

**Hon Mr Cooke:** —we're trying to pull it back together.

**Mrs Cunningham:** We do not have a core curriculum in this province by subject. This is not a core curriculum by subject. As a matter of fact, the Premier of this province talked about not having high enough standards by grade level in the province of Ontario.

The minister's not answering the question. We're trying to give some good advice here in support of thousands of parents and students who are unhappy with the lack of standards and core curriculum in our education system. So I'm going to repeat: They're looking for a core curriculum with standards. They want testing to meet the standards. As a matter of fact, they also want to improve the quality of education.

This minister recently spent \$10,500 to have this document rewritten so people could understand it. Where are you going to put your efforts in the next few months to introduce a core curriculum into the province of Ontario?

**Hon Mr Cooke:** What we have done in the last few years in the ministry is introduce province-wide standards for mathematics, province-wide standards for language; we have brought in province-wide testing to test the curriculum that's in place.

What the Premier spoke about last week, and perhaps you should have been at the speech, was that whenever we do testing, we should never be satisfied with the results of that testing; we should always be insisting that we improve.

That's the mission of the Ministry of Education and this government. We're not going to be satisfied no matter what the results are.

Don't show me your documents. What you should be judged on is what you did to the public education system in the 1970s.

*Interjections.*

**Mr David Turnbull (York Mills):** A hundred billion dollars in the hole. Come on, wake up over there.

**Mr Larry O'Connor (Durham-York):** Forty years the Tories were in power and they never balanced a budget.

**The Speaker:** The member for York Mills and the member for Durham-York, please come to order so that we can at least have a couple of more questions.

#### HOUSING CONDITIONS

**Mr Gary Malkowski (York East):** It's my great pleasure to be the first person to ask the new Minister of Housing a question this afternoon. My question is: There are many older apartments in Ontario that would benefit

by being covered by the new building code standards. At a recent meeting in my riding, it was brought to my attention by the tenants of Thorncliffe Park and by the East York Tenants Association that these groups have serious concerns regarding the exclusion of older units from the Ontario building code. What measures are in place to ensure that these buildings don't fall into disrepair?

**Hon Richard Allen (Minister of Housing):** It's a very important question, not just a question that the tenants in York East are asking but also tenants I think across the province. Therefore, it's important to answer it.

There are in fact two sections of the building code at this point in time that are relevant to the question the member asked: sections 15 and 17.

Section 15 provides that municipal officials may take action to remedy unsafe conditions whenever a complaint is brought forward to them, which would then be the trigger which would enable them to move and take action. Section 17 is probably even more effective, more far-reaching and more immediate because what it does is allow the chief building official to issue an emergency order for immediate repairs to be carried out whenever there is imminent danger to the health or safety of any person as a result of building disrepair.

These two measures in particular are the two most effective ways to use the building code in order for tenants to get enforcement of property standards from their municipalities.

**Mr Malkowski:** What other measures has the government taken to improve the tenants' living conditions?

**Hon Mr Allen:** We have done quite a number of things, as a matter of fact. I'll just allude to two of them.

The first is that the new Rent Control Act allows for the freezing of rents whenever a work order is issued by a municipality against a building. The second has to do with the possibility under the act that tenants may apply for a rent reduction whenever the maintenance or standard of repair in the building is deemed to be inadequate.

As a result, there's a significant pressure put upon landlords, especially those who do not maintain their buildings, of course, because if they wish to get their rent levels back to where they were they need to take some action. In that respect, as in others, we have helped tenants greatly in getting their maintenance problems fixed.

I should indicate that under the rent reduction provision there have been some 12,000 apartments that have had their rents reduced across Ontario to date.

1530

#### HIGHWAY CONSTRUCTION

**Mr Hans Daigeler (Nepean):** My question is to the new Minister of Transportation. Let me say first of all to the minister, congratulations on your appointment, and I do wish you well for the six months or so that are left before the election.

To get to business, I've a question today that relates to your government's abysmal failure to go after the federal



infrastructure money for the Highway 416 completion. On October 13—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Daigeler:** Just listen to what I have to say. On October 13, your predecessor, Mr Pouliot, is quoted in the Ottawa Citizen as saying, "We have submitted a business plan." This is a direct quote from Mr Pouliot, yet on the other hand, two weeks later, on November 1, I read in the same newspaper, "Farnan, who replaced Gilles Pouliot as part of a cabinet shuffle last month, sent a detailed business plan of the project to Infrastructure minister Art Eggleton on Monday," and that was October 31.

I am totally confused. Can you tell me who's telling the truth here: you or Mr Pouliot?

**Hon Mike Farnan (Minister of Transportation):** The Bob Rae government is committed, very clearly, unequivocally, to putting funding of two thirds, and we are anxious to have accelerated construction. We want the federal Liberals to stop playing games with the people of eastern Ontario, and we want them to put their money on the table. Frankly, I want to see the colour of the federal dollars.

These dollars cannot come from shared programs already allocated. The Prime Minister of Canada made a commitment to the people of eastern Ontario. I can't understand why Mr Eggleton stalls on this issue, nor can I understand the ineffectiveness of the 99 Liberal members in Ottawa who have failed the people of Ontario.

I have invited Mr Eggleton to meet me one on one. We want to get on with accelerated construction. We have no time for Liberal games. This highway is important. If the federal Liberals get their act together, we can get the highway under way on a construction fast-track.

**Mr Daigeler:** Minister, if you're as anxious as we are on this side of the House to build the 416, why did it take you more than six months to even submit your business plan? I would say to you that the ice age receded faster than your NDP actions on Highway 416.

When I asked Mr Pouliot on September 12 during the estimates committee whether he had his two thirds of the cost for the Highway 416 project, he said, "We have our \$120 million." You can find this quote on page 541 of the estimates committee Hansard.

In view of Mr Pouliot's very questionable promises so far, can you confirm that you have committed the \$120 million from the Minister of Finance, who is sitting right in front of you? Also, can you assure me that there will be no special toll tax for the only highway link to the 401 in eastern Ontario?

**Hon Mr Farnan:** It's very simple: When Bob Rae's government makes a promise, we keep it; when the Liberals make a promise, they don't keep it. Let me say further, in order to be very fair to both opposition parties—

*Interjections.*

**The Speaker:** Order. Minister?

**Hon Mr Farnan:** The Bob Rae plan for transporta-

tion calls for significant investment in highways and infrastructure. I am delighted that the critic supports that plan. Unfortunately, the Liberals don't have a plan, and as for the third party, I would say Mike Harris has a plan that calls for \$300 million to be cut from transportation. What that Mike Harris plan means is no more lane widenings, no more medians, no more turning lanes, no more four-laning of congested highways, massive cuts in transfers. The result of the Mike Harris plan is more congestion, more collisions, more deaths, deterioration of roads and infrastructure.

**The Speaker:** Would the minister conclude his remarks, please.

**Hon Mr Farnan:** The Liberals have no plan. Mike Harris wants to cut. Bob Rae wants the best and safest roads in North America.

1540

## PETITIONS

### GASOLINE PRICES

**Mr Frank Miclash (Kenora):** I have a petition to the Legislative Assembly of Ontario. It reads:

"Whereas the difference in gasoline prices between northern and southern Ontario has long represented a serious inequity between the two regions; and

"Whereas the difference in gasoline prices between northern and southern Ontario is often between 10 and 20 cents a litre; and

"Whereas residents of most northern Ontario communities have no access to public transportation options and are therefore dependent on private automobiles; and

"Whereas 1990 NDP election promises to 'equalize' the price of gasoline across the province have not been kept; and

"Whereas" myself, as MPP for Kenora, have "called upon the NDP government to keep their 1990 election promises; and

"Whereas the elimination of motor vehicle registration fees for northern Ontario residents does not compensate for the excessively high price of gas in the north;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the NDP government of Ontario fulfil its election promises to the people of northern Ontario by equalizing the price of gas across the province."

That's signed by many of my constituents from places like Waldhof, Eagle River, Dryden and Kenora, and I too attach my name to that petition.

### LONG-TERM CARE REFORM

**Mr Allan K. McLean (Simcoe East):** This petition is to the Honourable Bob Rae, Premier of Ontario, and the Honourable Ruth Grier, Minister of Health:

"We, the undersigned, are concerned that Bill 173, if unamended, will mean less service, more costly service, a decrease in volunteers and less flexibility for communities to develop a model that works for them."

This is 196 names from Penetanguishene, Orillia, Midland, Victoria Harbour, Port McNicoll, Coldwater and Barrie.

## WORKERS' COMPENSATION

**Ms Christel Haeck (St Catharines-Brock):** I have a petition here from five residents of St Catharines, and they are opposed to Bill 165. I must admit they have a long preamble, which I will not read, but I am not in agreement with their comments.

## MENTAL HEALTH SERVICES

**Mr Tony Ruprecht (Parkdale):** I've received this petition from a number of residents from Parkdale and from the riding of Fort York, and it reads:

"Whereas the NDP government is hell-bent on establishing a 20-bed forensic facility for the criminally insane at the Queen Street Mental Health Centre; and

"Whereas the nearby community is already home to the highest number of ex-psychiatric patients and social service organizations in hundreds of licensed and unlicensed rooming houses, group homes and crisis care facilities in all of Canada; and

"Whereas there are other neighbourhoods where criminally insane people could be assessed and treated; and

"Whereas no one was consulted—not the local residents and the business community; not the leaders of community organizations; not education and child care providers; and not even"—get this—"the NDP member of provincial Parliament for Fort York;

"We, the undersigned residents and business owners of our community, urge the NDP government of Ontario to immediately stop all plans to accommodate the criminally insane in an expanded facility until a public consultation process is completed."

I have affixed my signature to this petition.

## JUNIOR KINDERGARTEN

**Mr Ted Arnott (Wellington):** I have a petition to the Legislative Assembly of Ontario.

It reads as follows:

"Whereas the previous provincial Liberal government of David Peterson announced its intention in its budget of 1989 of requiring all school boards to provide junior kindergarten; and

"Whereas the provincial NDP government is continuing the Liberal policy of requiring school boards in Ontario to phase in junior kindergarten; and

"Whereas the government is downloading expensive programs like junior kindergarten on to local boards, while not providing boards with the funding required to undertake these programs; and

"Whereas the Wellington County Board of Education has estimated that the operating costs of junior kindergarten will be at least \$4.5 million per year"—I daresay it's as expensive down in St Catharines—"and

"Whereas mandatory junior kindergarten programs will force boards to cut other important programs or raise taxes; and

"Whereas taxes in Ontario are already far too high;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the government of Ontario cancel its

policy of forcing junior kindergarten on to local school boards."

I have affixed my signature to this petition as well, and I support it.

## WORKERS' COMPENSATION

**Mr Steven W. Mahoney (Mississauga West):** I have a petition signed by several hundred people—I haven't been able to add them all up—and it's to the Legislative Assembly of Ontario. It reads:

"Whereas the Ontario Workers' Compensation Board is in a state of financial crisis; and

"Whereas the future benefits of injured workers are at certain risk; and

"Whereas the Premier ignored the advice from his own business advisers on his labour and management advisory committee to eliminate the unfunded liability and to ensure that the WCB does not negatively impact the competitiveness of Ontario business; and

"Whereas Bill 165 increases benefits at a time when the Workers' Compensation Board is experiencing negative cash flow;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario withdraw Bill 165 and accept the responsible business recommendations provided to the Premier to ensure the sustainability of the workers' compensation system."

I affix my signature hereto.

## FIREARMS SAFETY

**Mrs Dianne Cunningham (London North):** I have a petition signed by over 100 residents of London and Middlesex:

"To the Legislative Assembly of Ontario:

"Whereas we, the undersigned, strenuously object to the minister of the Solicitor General's decision on the firearms acquisition certificate course and examination; and

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years; and

"Whereas we believe that we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I've signed this petition on behalf of the residents of London and Middlesex county.

## LONG-TERM CARE REFORM

**Mrs Joan M. Fawcett (Northumberland):** I have a petition to the Legislative Assembly of Ontario from 524 individuals either in the riding or near it.

"We, the undersigned, object to Bill 173 in its present



state. It must be amended to assure the residents of Ontario that their community-based health care and support services will continue to be available, that services become more accessible, that coordination of services is improved, and that the volunteer sector remains intact. The bill in its present format will not achieve these objectives."

I've signed the petition.

#### WATER QUALITY

**Mr Robert W. Runciman (Leeds-Grenville):** A petition addressed to the Minister of Environment and Energy:

"Whereas the water quality of Upper Rideau Lake continues to deteriorate, creating unsightly water and beach conditions that threaten human health, wildlife, tourism and property value; and

"Whereas Westport sewage lagoon continues to release phosphate-laden effluent twice a year; and

"Whereas significant time has elapsed since the province of Ontario granted funds to the village of Westport to upgrade the sewage treatment plant without resolution;

"We, the undersigned, request that the minister take immediate steps to resolve this problem."

This has been signed by over 13 residents of the Rideau waterway, and I'm affixing my signature in support.

#### SUDBURY MEMORIAL HOSPITAL

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a petition:

"Whereas the Memorial Hospital in Sudbury, Ontario, is northern Ontario's only heart care hospital;

"Whereas the calibre of heart care at Memorial Hospital is second to none in Canada and possibly the world;

"Whereas the presence of such a respected facility is extremely important in attracting top-notch specialists to the north; and

"Whereas thousands of people in the Algoma-Manitoulin area owe their lives to the excellent treatment and care received at Sudbury Memorial Hospital;

"We petition the Ontario government as follows:

"To do everything in its power to see that any planned amalgamation of hospitals in Sudbury does not include the loss of the Memorial Hospital."

This is signed by several hundred of my constituents in Algoma-Manitoulin.

#### LONG-TERM CARE REFORM

**Mr Cameron Jackson (Burlington South):** I have a petition to the Legislative Assembly:

"Whereas the Ontario government has given second reading to Bill 173, An Act respecting Long-Term Care, and clause-by-clause consideration of the bill; and

"Whereas seniors and the disabled are entitled to accessible community-based care; and

"Whereas we do not believe that Bill 173 will provide more cost-efficient and accessible care; and

"Whereas we, the undersigned, believe the government

of Ontario must recognize and value the work of volunteers in this province;

"We, the undersigned, petition the Legislature of Ontario to ensure that amendments are made to Bill 173 to allow for provision of community care based on the needs of local communities in Ontario and acknowledge the role of volunteers in the delivery of care."

That has several hundred signatures and has my signature of support as well.

**Mr James J. Bradley (St Catharines):** I have a petition addressed to the Honourable Bob Rae, Premier of Ontario, the Honourable Ruth Grier, Minister of Health of the province of Ontario and members of the Legislative Assembly:

"We, the undersigned, are concerned that Bill 173, if unamended, will mean less service, more costly service, a decrease in volunteers and the inability of local communities to ensure the long-term care system meets their needs."

It is signed by a large number of people from the city of St Catharines, and I affix my signature to it because I am in agreement.

1550

#### FIREARMS SAFETY

**Mr Ted Arnott (Wellington):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas we, the undersigned, strenuously object to the minister of the Solicitor General's decision on the firearms acquisition certificate course and examination; and

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years;

"Whereas we believe that we should not have to take the time or pay the cost of yet another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I support this petition as well.

#### LIQUOR STORE

**Mr Tony Martin (Sault Ste Marie):** To the Legislative Assembly of Ontario:

"We, the undersigned residents of Desbarats in Algoma district, Ontario, and citizens of Canada, draw to the attention of the Legislature the following:

"That the hamlet of Desbarats in the township of Johnson, with a population of 750 permanent residents and a seasonal population which increases to over 2,500, is not presently served by an LLBO outlet." That's a liquor control board outlet.

"This poses a hardship on the seasonal and permanent residents. If these consumers were able to purchase all

their needs from the established businesses, it would be of considerable benefit to the local economy.

"Therefore, your petitioners call upon the government of Ontario to establish a local LLBO outlet in the hamlet of Desbarats."

#### MOTORCYCLE AND SNOWMOBILE INSURANCE

**Mr Bernard Grandmaître (Ottawa East):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, are of the opinion that private insurance companies are exploiting Ontario motorcyclists and snowmobile operators by charging excessive rates for coverage or by outright refusing to provide coverage;

"Whereas we, the undersigned, understand that those insurance companies that do specialize in motorcycle insurance will only insure riders with four or more years of riding experience and are outright refusing to insure riders who drive certain models of 'supersport' bikes;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario should study the feasibility of launching public motorcycle and snowmobile insurance."

I have signed this petition.

#### FIREARMS SAFETY

**Mr Ernie L. Eves (Parry Sound):** I have a petition signed by over 400 constituents to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, strenuously object to the minister of the Solicitor General's decision on the firearms acquisition certificate course and examination;

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years;

"Whereas we believe we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

As I indicated, this is signed by over 400 constituents, and I have affixed my signature thereto in support thereof.

**Mr Frank Miclash (Kenora):** I have a petition to the Legislative Assembly of Ontario and it reads:

"Whereas we, the undersigned, strenuously object to the minister of the Solicitor General's decision on the firearms acquisition certificate course and examination;

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years;

"Whereas we believe that we should not have to take

the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

That's signed by many of my constituents from places like Balmertown, Cochenour, Red Lake, Ear Falls and Madsen, and I too attach my name to that petition.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mrs Witmer from the standing committee on government agencies, on behalf of Mrs Marland, presented the committee's 30th report.

**The Deputy Speaker (Mr Gilles E. Morin):** Pursuant to standing order 106(g)(11), the report is deemed to be adopted by the House.

#### INTRODUCTION OF BILLS

##### TOWNSHIP OF EAST LUTHER AND THE VILLAGE OF GRAND VALLEY ACT, 1994

Mr Tilson moved first reading of the following bill:

Bill Pr132, An Act respecting the Township of East Luther and the Village of Grand Valley.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

##### ONTARIO PROFESSIONAL PLANNERS INSTITUTE ACT, 1994

Mr Martin moved first reading of the following bill:

Bill Pr129, An Act respecting the Ontario Professional Planners Institute.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

##### CITY OF YORK ACT, 1994

Mr Mahoney, on behalf of Ms Poole, moved first reading of the following bill:

Bill Pr146, An Act respecting the City of York.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

##### ADULT ENTERTAINMENT LICENSING ACT, 1994

##### LOI DE 1994

##### PRÉVOYANT LA DÉLIVRANCE DE PERMIS RELATIFS AU DIVERTISSEMENT POUR ADULTES

Mrs Witmer moved first reading of the following bill:

Bill 184, An Act to provide for the Licensing of Persons involved in providing Adult Entertainment /  
Projet de loi 184, Loi prévoyant la délivrance de permis aux personnes impliquées dans la fourniture de divertissements pour adultes.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

**Mrs Elizabeth Witmer (Waterloo North):** I'm introducing this bill today out of concern for the fact that girls as young as 14 and 15 are being employed as strippers in this province, and this will ensure that anyone



under the age of 18 can no longer be employed but will require a licence.

CITY OF MISSISSAUGA ACT, 1994

Mr Mahoney moved first reading of the following bill:

Bill Pr148, An Act respecting the City of Mississauga.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

1600

ORDERS OF THE DAY

TIME ALLOCATION

Mr Buchanan, on behalf of Mr Charlton, moved government notice of motion number 35:

That, pursuant to standing order 46 and notwithstanding any other standing order in relation to Bill 163, An Act to revise the Ontario Planning and Development Act and the Municipal Conflict of Interest Act, to amend the Planning Act and the Municipal Act and to amend other statutes related to planning and municipal matters, the standing committee on administration of justice shall complete clause-by-clause consideration of the bill on the first regularly scheduled meeting of the committee following passage of this motion. All proposed amendments must be filed with the clerk of the committee prior to 12 noon on the above-noted day. At 4 pm on that same day, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee shall interrupt the proceedings and shall, without further amendment or debate, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. Any divisions required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 128(a);

That the committee be authorized to continue to meet beyond its normal adjournment if necessary until consideration of clause-by-clause has been completed. The committee shall report the bill to the House on the first available day following completion of clause-by-clause consideration that reports from committees may be received. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to be reported to and received by the House;

That upon receiving the report of the standing committee on administration of justice, the Speaker shall put the question for adoption of the report forthwith, which question shall be decided without debate or amendment and at such time, the bill shall be ordered for third reading;

That one hour be allotted to the third reading stage of the bill. At the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment;

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes and no deferral of any division pursuant to standing order 28(g) shall be permitted.

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** I understand there is an

agreement between the three parties in the House that the time be divided as follows: I will address the motion very briefly and the government will reserve five minutes at the end for wrapup, and the remainder of the time will be split between the two opposition parties.

**The Deputy Speaker (Mr Gilles E. Morin):** Agreed? Agreed.

**Hon Mr Buchanan:** I'm sure there's going to be a lot of excitement today about the government's decision to bring this motion forward, but I want to clarify the reasons that we have done this.

Certainly the opposition has been given precisely the amount of committee time that they had asked for on this bill over the intersession, including adding Friday sittings, and there's really no reason why the consideration of this bill has not been completed except that the opposition has decided to drag their feet on this.

It's not a problem of insufficient time in committee. They've been at it for five weeks. There have been well in excess of 100 hours in clause-by-clause hearings. This committee has travelled all across the province and has heard from literally hundreds of people, and there has been extensive debate across the province on this bill.

It's important that we proceed with this bill at this time. It provides Ontarians with badly needed planning reform. Through the bill, municipalities are going to be given greater control of the development process. The environment will be better protected by clear policy statements and legislative changes that are integrated into the social, cultural, economic and environmental value statements. Red tape will be cut from the planning process. It will be faster. This is a way of efficiently creating more jobs in the construction industry and other sectors.

The opposition have decided that they do not want this bill to finish. That has made it necessary for us to move this motion today so that we can make progress with our planning reforms that we've put before the people of Ontario.

**The Deputy Speaker:** Any further debate?

**Mr James J. Bradley (St Catharines):** Thank you, Mr Speaker, for the opportunity to speak this afternoon, though I wish I were not speaking on yet another time allocation motion or general closure motion that we have before the House.

It is a matter of great regret for me, as a member of this assembly, to be forced to participate in such a debate because I well recall having sat in opposition with the now Premier of this province, who on many occasions in the past has extolled the virtues of careful scrutiny of government legislation and was one who felt that the rules of this House should be modified in those days to give the opposition and government backbenchers, frankly, more of an opportunity to debate, discuss and analyse legislation.

However, as I know the Progressive Conservative Party House leader will list in his remarks to his House, you will find that this government has used closure and time allocation far more than any previous government has done. Of course some members of this House, if not the

public, will remember that there was a drastic change made in the rules of the Legislature by the Premier of this province, through his government House leader, to severely restrict the powers of the opposition and the government backbenchers in dealing with legislation before the House.

I have said on a number of occasions that I think this is regrettable for democracy, because it again places in the hands of those who are not elected, the people who cannot be accessed by the general public very easily, much more power and less power in the hands of democratically elected politicians. We're the only people they can get at. We are the ones who have to be reassessed and either elected or not elected at election time. That does not happen with those who are in the civil service; that does not happen with those who work for the Premier's office or who are political appointees in ministers' offices; in other words, people who have had in several governments many powers and I think in this government even more powers because of the changes to the rules that were made at the behest of Mr Rae.

I know that two individuals I was just discussing the rules with, Robin Smith and Shelley MacKay, who used to work for the previous House leader of the Liberal Party, were talking about the day when the government brought down its legislation to change the rules of this House and how angry many people were and how ironic we found that in fact it was a New Democratic Party government, and that of Premier Rae, that would bring in such legislation.

We know that this does not get a lot of public attention. I've said this on many occasions. I discussed this with some people when we were talking about another bill, Bill 173, dealing with long-term care, and they were absolutely flabbergasted at the changes that had been made to House rules when I explained what those changes were and how that would affect a piece of legislation in which they had an interest. They asked: "Can you in the opposition, can government backbenchers not delay this legislation, not make changes to this legislation, not allow for a full debate out there so that people across the province can be aware of the ramifications of legislation?"

I had to explain to them that under the new rules that were brought forward by Mr Rae individual members in most debates are limited to 30 minutes, unlike the member for Welland-Thorold, Mr Kormos, who took some 17 hours to discuss the issue of public auto insurance or changes to the auto insurance system in Ontario, and provided a service—some will say it was a disservice, and it annoyed the government of the day, of which I was a part—in that it allowed a focus of public attention on an important public issue. I think that is what is important about this Legislative Assembly.

Of course, we're going to be surprised and somewhat disillusioned by the fact that the government would already bring in this kind of legislation, this kind of motion which would cut off debate on what we call the Sewell bill, for want of another word, some Planning Act changes, some of which, by the way, merit some support, and some changes to the conflict-of-interest legislation for

municipal political representatives, some of which again merit support. There's no quibbling, I think, over the need for such legislation; the argument is over the specific provisions contained within that bill.

1610

But I guess what is galling to the people of this province is the fact that this Legislature has not sat as a Legislature since last June, and yet normally it would come back in late September to reconvene. There would be question periods, there would be opportunity for legislation to be processed both in the specific committees and the committee of the whole in the House, and of course by the Legislative Assembly as it sits for second or third reading of bills. And yet, the government chose not to bring the House back till almost November 1. It was Hallowe'en, perhaps suitably in some ways, that was the specific date that the House came back into session.

That is most unfortunate, because I think those who elect us expect us to be here at the Legislative Assembly dealing with important public business. There was a time when that wasn't necessarily so. We paid tribute to Wally Downer, for instance, who served in this assembly for some 38 years. Earlier this afternoon we paid tribute to him. In those days, the Legislature probably sat about three months of the year, most members had another occupation as well as being members of the Legislative Assembly and the amount of business that came under the purview of this assembly was rather limited.

Also, members did not have constituency offices, so they had to deal directly with their constituents on matters related to the Ontario government. Since the advent of constituency offices in 1975, much of the social work that members had to undertake personally has been in the hands of very capable staff, and each one of us knows that we are very reliant upon the people both here at Queen's Park and our own constituency offices. So there isn't a need for members now to be in their constituencies at all times, and I think there's an expectation that members should be here analysing, scrutinizing, debating and discussing important pieces of legislation and motions.

Jonathan Manthorpe, who used to be a columnist for the Toronto Star, wrote a column at one time where he called for the abolition of constituency offices, and wisely I believe, but he did it on the premise that members were spending too much time on individual constituency work at the risk of allowing legislation to pass this House which would have ramifications which were not in the best interests of the people of this province. I disagree with the part about the constituency offices being abolished, but I do agree that one of the dangers we can face as political representatives is the danger of not spending the necessary time on the individual bills before this House. I know it's not a vote-getter, I know it doesn't bring in the kind of support that one would like, but it's an important component of our work.

First of all, the members' statements, where they can bring forward issues of import to them individually, and then the government statements and opposition responses, and then, of course, the question period, where the questions are directed to the government by all members



except those in the cabinet, and subsequently the other business of the day.

But what we have here is a bill that is very important to the House, that has been discussed to a certain extent, as the acting House leader has suggested this afternoon, has had some considerable discussion, but many people would like to have more discussion as to specific provisions of that bill, and we in the opposition think that would be important.

Probably this bill would have passed, because the government does have the majority in any event, had the House been reconvened about September 24 or a date in there, and then we would have had considerable time to deal with it and I think the government then could have made a good case for time allocation if indeed there had been that amount of time. But when they come back in the first week they're back and then they say: "Well, guess what? We have to have constituency week next week because we've been here four days," well, a lot of people out there, including, I noticed, the Conservative Party House leader even brought forward a motion on the first day. I don't know if it will be debated or when it's going to be debated, but he did bring it forward and express, as we have, a concern about the House coming back so late and then going off for a constituency week.

I recall that this is not the first time this has happened. I think December 10, 1992, was the last date we sat that year, and the House did not come back until April 13, 1993, again a very long period of time where the House wasn't sitting. Why would the government do that? Well, I would guess that at least the cabinet does not wish to face the kind of public scrutiny that goes with the questioning by the opposition and the media scrutiny which takes place in the hallways of this building on a daily basis.

That is why the government, which is supposed to want to be accountable to the people, would not want to sit, but rather have the Premier go around the province giving out cheques left and right, of course as he's going to do before an election, making what he considers to be good news announcements with the next government's money, and the next government having to meet those commitments, whatever that government is, whether it's his own or a subsequent party that's elected, instead of governing, instead of subjecting government programs and plans to the scrutiny that is offered in this Legislature.

The rule changes that I mentioned have been detrimental to the House in my view. First of all, we have a situation where the House, even under the normal parliamentary calendar, sits fewer days than it used to sit in previous governments. Now, as if that isn't bad enough, this government chooses to ignore that calendar and simply come back even later and sit even fewer days. It is estimated this session will be only 20 sitting days. I find that somewhat appalling as a member elected by constituents to deal with legislation and matters of importance before this House.

**Mr Allan K. McLean (Simcoe East):** When Wally Downer was here, it sat longer.

**Mr Bradley:** It probably did.

The only way we can really get a lot of public interest in these issues is through debating them in this Legislature. There are a lot of people who don't like the televising of the debates in the House. I am not one of those people. I think it's an important aspect of informing the people of this province. They may not like the performance of individual members or the members as a group, but it allows them to look at another aspect of the responsibility of an individual member; not simply whether the person can get a birth certificate in a shorter period of time than would normally be the case, not that the person is able to get an answer from a government office more quickly than any individual constituent, but they also have a chance to see us operate in this House, to be part of that legislative process, to listen to it.

I was very delighted to be the person who put that motion before the House many years ago as an opposition member, to have the televising of this House on a continuing basis. I think that's important, because people out there watching—a number of them do watch—are able to understand better the legislation before the House and the position of individual members and the parties on that legislation.

I notice something that's happening here as well, why I think you're seeing more of these closure motions. The government will contend that the opposition is more obstructionist with an NDP government than it has been with other governments. I don't think that is necessarily the case. I think it is partially the case in that this government was elected with 37.8% of the people voting in this province, I think most people would concede largely as a protest vote. This isn't the first time this has happened. This is not in any way a put-down of government members, but many of the government members are probably surprised to be here today.

A trend began in the middle of the election campaign and was favourable to the party that had never governed in Ontario, that is, the New Democratic Party. The federal Conservatives were very unpopular, and as the Conservative candidates went to the door, people would say, "We don't want Mulroney, so we're not voting for you," which was not really fair to the Conservative Party but it was a consequence. They would say to the Liberal Party, "We don't like you because you're in and we don't like the ins now; we want to get rid of you." So people turned to the one party that had not been in power before, the New Democratic Party.

I would suggest that the people who voted that way didn't necessarily believe that the NDP could run the economy well. Again, many people might have, but I would suggest that most people didn't. Nor did most people likely agree with the policies contained in the Agenda for People that the NDP put out. But they did feel that the NDP had not been there, had not been given a chance.

You know, those people always talked about the fact that they were ethically superior, morally superior, to the other two political parties. One would have anticipated that the Premier, then, would have changed the rules of the House to make it even more democratic, to involve individual members even more. Instead, we have seen a

continuance of the trend over the years towards more concentration of power in the Office of the Premier of this province and in his advisers and in the civil service, which has considerable power. I don't think that is healthy for democracy and I don't think that's what the people of this province anticipated.

1620

But many of the pieces of legislation that come forward are controversial, because my view is—and it's a subjective view, it's not an objective view—that the New Democratic Party does not represent mainstream Ontario. It represents a certain constituency out there in Ontario and may do so well in many circumstances, but it does not represent mainstream Ontario. That is why you see some considerable scrutiny and debate, perhaps more lengthy debate than one might have anticipated on some of the legislation being brought forward.

I think that this bill would be favourably influenced by further debate, by further representations which are made to government. I was concerned as a member of a previous government when there was a move about in the internal portions of the government to bring forward what was called Project X, and there were many people in the New Democratic Party, including its leader today, who were beside themselves at the thought that there might be a bill brought forward that would streamline the processes in Ontario and perhaps diminish scrutiny by various departments of government of proposed developments for this province. Not all of my colleagues agreed with my particular contention, but if that reared its head, that head was cut off very quickly and the government did not proceed with that.

Some of my colleagues who would speak this afternoon and who have been a part of this bill object to the piece of legislation because they feel it goes too far. My view might be slightly different from some of my colleagues on whether it goes too far or not—I may feel in some areas it does not go far enough—but that's why it's important to have the debates. That's why it's important for all of us to put forward those views and then for the government, as it ultimately must, to make the choice on what amendments it will accept and what amendments it will reject from the opposition.

The conflict-of-interest legislation: I believe there is a need for that kind of legislation to be changed in this province to ensure that we have honesty and everything being aboveboard, but there are people in the municipalities across this province who have made some compelling cases for changing the legislation that the government has proposed because they feel it is specifically onerous on them, more onerous perhaps than it would be on proposed legislation for members of the Ontario Legislature.

What we're seeing out there is a number of people who have retired from municipal politics because of this legislation, at least partially because of it, and some who have chosen not to run because of the legislation. Now, in some cases we have to say that's just too bad because there are specific provisions I think where there would be a consensus in this House those provisions are needed.

There are many other areas that have gone, perhaps,

over the border of caution and over the border of prudence to where they intrude on the personal lives, financial lives at least, of people in this province.

There's an interesting book that has come out by one Thomas Walkom—Dr Thomas Walkom, because he has a PhD. He was an economist at the University of Guelph and he is the columnist for the Toronto Star, formerly the columnist for the Globe and Mail. Mr Walkom could not be considered to be a right-wing ideologue. In fact, his views are probably somewhat to the left on some issues of the government in power, at least the way the government has decided to govern.

His book called *Rae Days: The Rise and Follies of the NDP*, produced by Key Porter Books, is available on most of the bookshelves of the province of Ontario for only \$27.95. I recommend it to people of this province, and I'll tell you why I do: It is rather revealing of what has happened over the last four years in Ontario.

**Mrs Karen Haslam (Perth):** From one person's point of view.

**Mr Bradley:** It is suggested by the member for Perth that it's one person's point of view. Well, David Reville was a person I always thought was forthcoming, I always thought David Reville was a person who was prepared to tell the truth and be up front with the people of this province, and he has some—I'm not going to quote them today because I don't think this is the time, in this debate, to quote them.

**Mr Bob Mackenzie (Hamilton East):** Did you pay \$27.50?

**Mr Bradley:** The former Minister of Labour asked if I paid \$27.50. Not only have I purchased one book, I have purchased several books for my NDP friends. I thought many of them were not allowed to be seen with this book, so I am now supplying them. They have found it rather revealing. But I'm not going to quote specifically from the book this afternoon because I don't want to surprise people, I like to leave people in suspense, but I can say that it's most worthwhile.

You're probably wondering, on the opposite benches, how I would relate it to this debate. I would relate it to this debate because it reveals how the views of the New Democratic Party in opposition, in its most idealistic state, have changed as it becomes a party which is interested more in power than its old philosophy. I find that most unfortunate.

*Interjection.*

**Mr Bradley:** The member for Chatham-Kent, who is an ardent socialist, I think, at least a social democrat—you're not supposed to say socialist these days—a strong, left-wing individual in his community, makes no apologies for it—I must give him credit—makes no apologies for it at all, still stands there. But he sits in the government benches as the Premier of this province orders a closure motion and time allocation motion to be forced on this Legislative Assembly.

I appeal to members of the government—this is often an appeal that is not accepted, but I appeal to members of the government—to rise up, to show your independence, to vote down this motion. I know that many of



them are quite concerned about the rules of this House and are probably saying: "We can show the Premier what we think of this kind of legislation. We believe more careful and comprehensive analysis and scrutiny of this piece of legislation is necessary. For that reason, we will join with the two opposition parties in opposing this motion which would severely limit the debate and ram through a bill which does not meet the needs of all the people of this province."

I'm going to allocate some time for some of my colleagues who are eager to participate in this debate. I know the member from Vanier, which is Ottawa East, and the member for Scarborough North are both eager to participate in this debate. There may be others who come in and feel compelled to offer their suggestions on how we can persuade government members not simply to bang their desks and clap and cheer on the Premier, but to be independent minded, concerned, democratically minded individuals who are prepared to rise up.

I call upon the government members: Rise up, be the revolutionaries that you were in the past. Be new thinkers and work hard. The member for Welland-Thorold, I would suspect, will not vote for this motion. He might vote for the bill itself because he believes in NDP philosophy and policies, I think, but he does not believe and has fought in the House against the kind of closure motions and time allocation motions for which this government has become so famous.

It is ironic that an NDP government, in the past so committed to democracy, in the past so committed to the underdog, in the past so committed to parliamentary government, would be the government to bring in yet another time allocation motion and squash democracy in the Legislative Assembly of Ontario.

1630

**Mr Ernie L. Eves (Parry Sound):** I want to comment briefly on the time allocation motion that the House sees before it this afternoon.

I think it's important, as indeed the member for St Catharines, the Liberal House leader, has pointed out, to go back to when the rules were changed by the current government, supposedly to expedite business in the Ontario Legislature.

I think it's important to remind people that the then government House leader, the member for Windsor-Riverside, indicated to my counterpart in the Liberal Party, Mr Elston, and myself at the time that there is no way the government would ever think of introducing a time allocation motion any more than once per session. It would be strictly confined to very significant pieces of legislation that were very important to the government of the day, and the government couldn't foresee that it would ever want to use this power more than once a session. Those were his words, not mine.

I have a list here of 17 times—17 times—this government has used time allocation motions since 1991. This was the government that said: "We might have to use it once a year. We have no intention of using this time allocation mechanism as a routine way of doing business."

I'm going to stand here right now, Madam Speaker, and predict to you that not only is the government going to use time allocation on Bill 163 in the five weeks we have left—and I'll deal with the five weeks we have left in a moment—but I predict it's going to use it on Bill 165, the workers' compensation legislation; Bill 171, sustainable forestry; and Bill 173, long-term care. But of course they were only going to use it once per session.

**Mrs Haslam:** That's because you don't want to work. You want to hold it up.

**Mr Eves:** The member for Perth may encourage me to speak longer than I had planned. She talks about people not wanting to work. If I were a member of the government I wouldn't be opening my mouth, because we haven't been here for 17 weeks. The parliamentary calendar—maybe you like to work a week and take a week off. Maybe you should introduce that as a piece of legislation.

*Interjections.*

**The Acting Speaker (Ms Margaret H. Harrington):** Order. One member has the floor. Would the member for Perth come to order.

*Interjection.*

**Mr David Turnbull (York Mills):** We haven't been sitting for the last few weeks, you idiot.

**Mr Gordon Mills (Durham East):** What about what they do to waste money and time? Read the names of rivers day after day after day. That's all you did. Talk about wasting time? You should be ashamed of yourselves.

**The Acting Speaker:** I ask the member for Durham East to come to order.

*Interjections.*

**The Acting Speaker:** Would the chamber come to order. We are debating this motion, and I ask the member for Parry Sound to please continue.

**Mr Eves:** Thank you, Madam Speaker. Anyway, going back to the amount of time we've been here, I can also recall the current government House leader, the member for Hamilton Mountain, saying to Mr Elston and myself—the former member for Bruce, who has recently resigned from the Ontario Legislature—I can recall the current government House leader saying to both of us that now that he was the government House leader, the government would be adhering strictly to the parliamentary calendar, that it would not under any circumstances be deviating from the parliamentary calendar.

Those are his words, not mine. He has told us that several times in House leaders' meetings, and I believe he's also reiterated it during time allocation motion debates in this Legislature. He has said that he quite agreed that it should be done in a more businesslike fashion, that everybody should know what weeks of the year they were going to sit and not sit, and we would be here to do the public's business during the weeks designated on the calendar.

How well has the government done that, I ask you, Madam Speaker, since the current government House leader has been sworn in in that capacity?

**Mr Larry O'Connor (Durham-York):** You can't ask her questions.

**Mr Eves:** I have the answer, so she doesn't have to answer the question. My colleague the member for St Catharines alluded to the fact that we adjourned on December 10 to come back on April 13, when the parliamentary calendar says we're supposed to be back about the middle of March. We have now been out of the Legislature since June 23 of this year. We came back on October 31, when the parliamentary calendar said we're supposed to come back the third Monday, if my memory serves me correctly, in the month of September. Why has that happened? Why have we written off over a month in this session alone? Pardon me, well over a month: 17 weeks we had off. We've lost five weeks out of the legislative calendar.

The reason we have a constituency week the week of November 7, which is next week, is because after having been back here for a month and a half, six weeks, we were then to get a week off to do constituency business because we were so busy in the previous six weeks doing the public's business that we wouldn't have time to deal with our constituents. We have a week called a constituency week because we've been working so hard at Queen's Park for the last six weeks, and then we come back and put in another four or five weeks before we adjourn for the winter break.

I have another prediction to make: We're not going to be back here the third Monday in March 1995, when we're supposed to be, again another breach of the parliamentary calendar by this government. This government has breached the parliamentary calendar far more times than it has adhered to it.

I could not believe my ears when I was down here last week to a House leaders' meeting and asked the government House leader: "Surely you're not going to take constituency week, the week of November 7, when you haven't been here for over four months? You'll have been here for one week, and then you want another week off." He said: "Oh, yes, we need the time off because the Premier is planning on travelling to China. We have ministers going here, there and everywhere." Constituency week? I didn't know the Premier's constituency was in China. Has he got a constituency office over there? He's had over four months to go to China. Why did he just happen to pick the week of November 7? He's also the individual, by the way, who dictates when this place is going to come back.

**Mr O'Connor:** He's trying to work with the federal government.

**Mr Eves:** That's a tough sell out there.

**The Acting Speaker:** Would you address remarks to the Chair.

**Mr Eves:** "We've just taken 17 weeks off, we've come back to work for four days and now we're so tired we have to take another week off." You had 17 weeks to be in touch with your constituents. What have you been doing for the last four months?

**Mrs Haslam:** We had committee work.

**Mr Eves:** Getting around to committee work, what we

have before us is a time allocation motion on Bill 163, also known as the Sewell bill or the municipal bill, out through rural Ontario. There are many components of this bill, but I'll touch on three of them that rural Ontario has problems with.

I think I can speak for rural Ontario because my constituency has more organized municipalities than any other constituency, any other riding, out of 130. I see the Minister of Agriculture, Food and Rural Affairs shaking his head. He's going to have to stand up and correct the record in a minute. There is no doubt that my riding has more organized municipalities than any other riding in the province of Ontario. I have in excess of 35—I believe it's 36—organized municipalities and 48 unorganized municipalities. That stacks up pretty good for the 872 in the entire province of Ontario. So I think I know whereof I speak.

With respect to rural Ontario, they have serious concerns about the planning aspects of the Sewell bill. They do not believe their concerns are being taken into account in this legislation. They have serious concerns about the wetlands designation outlined in this bill, which really amounts to property expropriation without compensation, stealing somebody's property or ordering that it cannot be built on, cannot be used. I don't think that's good legislation and I don't think it's appropriate.

1640

If the government of the day decides that they want to issue a policy directive that you cannot use certain classes of property they choose to designate throughout the province, then they should at least have the common decency to compensate individuals for taking away their property or taking away their right to use their property.

The third aspect of the bill that people in rural Ontario have a real problem with, as the member for St Catharines has already alluded to, is the municipal conflict-of-interest provisions. They believe, and AMO is supportive of most of them in this endeavour, that this bill exacts a higher standard of conflict of interest in some instances from municipal representatives than it does for members of the Ontario Legislature or members of Parliament federally. I concur with that, and there are some serious concerns in this bill.

The member for Hastings-Peterborough alluded earlier to the number of hours that this bill has been in committee. It has been in committee for a number of hours, dealing with clause-by-clause, because of these three main problems that I explained to you that people in rural Ontario, and other parts of Ontario for that matter, have with this legislation.

The government thinks that's obstructionist, yet they didn't think that Mr Kormos's speech for 17 hours on auto insurance was obstructionist when they were on this side of the House; that was fine. But to actually sit down and work through a bill in committee and point out problems with it is obstructionist.

These four major pieces of legislation that the government wants passed before December 8, when the parliamentary calendar, by the way, ends for this session, could easily have been dealt with in committee and in the



House. If the government would have come back the third Monday in September like it was supposed to, we would already have been sitting for five weeks. These things would have been dealt with by now.

The only reason these motions are necessary is because the government didn't want to work for the last six weeks. They wanted to be out doing whatever they're doing. That's the only reason it's necessary. So let's get that straight and let's make sure the public understands that. These people have been out of here for over four months, they've come back to work for one week and now they want to take a week off. I don't understand. That's why we have time allocation motions on this bill and that's why we're going to get them on the other three bills I mentioned, because they don't want to be here.

They don't want to be in question period every day. They're devoid of new ideas. They have no new significant pieces of legislation. They want to clean these off the agenda and, let me tell you, we won't be back here the third Monday in March either. We will either be on the campaign trail or we'll be waiting for a new session with a throne speech that the government will then use as an election document to go to the people. You heard it here first. I would certainly hope—

*Laughter.*

**Mr Eves:** The member for Perth cackles. I hear her in the background. I don't know what she's been doing for the last 17 weeks. She was supposed to be doing some constituency work sometime over the last four and a half months, but now she was back to work for four days and we want to take another week off. That's what you're voting for when you're voting for this motion, and we'll see where you stand and vote when the vote's called.

**The Acting Speaker:** Further debate?

**Mrs Margaret Marland (Mississauga South):** Madam Speaker: are there not two minutes of questions and answers?

**The Acting Speaker:** No questions and comments at this time.

**Mrs Marland:** We don't have time for anything, I guess.

**The Acting Speaker:** Is there further debate? The honourable member for Ottawa East has the floor.

**Mr Bernard Grandmaitre (Ottawa East):** As a member of the committee that dealt with Bill 163, I feel that time allocation or time closure on any bill is unacceptable, but I thought that Bill 163 was a priority with the NDP government of Ontario and I find it very surprising that they would introduce time allocation, because it affects 832 municipalities in the province of Ontario, it affects a number of organizations and it affects the public in general.

I'm told that some 40 different organizations, at least 40, and members of the public were denied access to our committee to have something to say or to try and improve Bill 163.

When I'm told that this very important bill is now before us and they can blame the opposition, blame committee members, because they didn't want to cooperate with the government of Ontario, it's totally false, and

I'm being blunt about this, because we thought the Sewell commission, who took two years to table a report concerning planning and improving the planning process in the province of Ontario and also giving municipalities in the province of Ontario more power, more responsibility towards planning—I will be the first one to say that planning reform in the province of Ontario is needed. It should have been introduced years ago.

But now we have reached the point where, after spending \$2 million on the Sewell commission, even Mr Sewell is not satisfied with the present bill, Bill 163. He's said to AMO, he's said to the committee that he's disappointed because the government didn't follow most of his recommendations. I realize that sometime after, maybe three weeks after saying this to AMO, Mr Sewell came back and said, "Well, most of my recommendations are included," for the simple reason that he was told: "Hey, we will introduce closure, so don't worry. Your bill will go through." I call it the John Sewell bill.

Nothing is being changed. We say "streamlining the process." I say we are not streamlining the process and we are giving more responsibilities to municipalities, but at the end there's a hook: If there's a provincial interest, the minister can at any time have a veto on just about anything that's associated with planning in the province of Ontario.

Imagine having spent two years on a report on a very important bill that now the government is introducing close to 200 amendments on, and we were told, "Here's five weeks of committee work." How can a committee in five weeks deal with such an important bill? This bill, being an omnibus bill, will amend some 20 different statutes of the province of Ontario.

As pointed out by the member for St Catharines, the Local Government Disclosure of Interest Act is most important to our municipalities, to our school trustees, our municipal councillors. They want to deal with this, but at the present time they feel that they cannot respond to the needs of Bill 163 for the simple reason we don't have the definitions, we don't have the regulations. For instance, they tell municipal councillors and school trustees, "You must declare all gifts." AMO and school boards, school trustees, are asking, "Can you define what a 'gift' is?" That's only a small example. There is no definition of a gift.

I think we should take the time, and we wanted to take the time. Yesterday afternoon just before 6 o'clock, we asked the Chair of that committee, an NDP member, to sit until 12 o'clock if need be and maybe come back next week. As pointed out, next week we'll be spending most of our time in our constituency offices. I've been spending the last four months in my constituency office and I don't need another week. We could be dealing with Bill 163.

**1650**

Also, what we've been told, what we've heard from different organizations or the general public in this province is that we're not improving the OMB process. As you know, the OMB process is a very difficult process. Most people are saying you need to be an expert to come before the OMB for the simple reason that it's

a quasi-judicial board. You need to be an expert in transportation and planning or the environment or whatever, and people feel that they're being left out of the process.

The process is there, the OMB is there, supposedly to accommodate the citizens of Ontario if they're not satisfied with local planning or regional planning, but this is not what's happening.

The OMB process will still be in place, and I must say I'm glad the government amended the original bill by saying minor variances can still be appealed to the OMB. I must give them credit for that very minuscule move.

Municipalities will now be forced to have an official plan, and I am told that only 60% of our municipalities in the province of Ontario do have official plans. Under Bill 163 every municipality will need an official plan. That's a very costly matter.

A lot of our unorganized municipalities will feel left out, just like Metro. Imagine. Metro, the largest regional government in this province, representing 2.3 million people, doesn't have an official plan, and now the ministry and the minister will give approval to all planning in Metro. I don't think this is appropriate, I don't think it's fair, and it's going to be very costly for Metro if they want to abide—they will have to abide by Bill 163 or else the planning will be done by the ministry and the minister. I think it's very unfortunate that this is the way the bill reads.

Farmers, woodlot owners, wetland owners are upset with the bill. As was pointed out, these woodlots will be taken over by this bill. Wetlands will be taken over by this bill, without any compensation. I've heard farmers telling me that they've paid taxes on these lands for 30, 35 and 40 years and now these lands will be prohibited from any development and their assessment will not change. They will still be paying the same municipal taxes. I think it's very unfair.

I know that other colleagues, other members of the committee want to address Bill 163, but I say that any time this government has introduced an omnibus bill as important as Bill 163 and introduces time allocation, this government is not a government for the people of Ontario.

**Mr McLean:** On the one hand I welcome the opportunity to place a few comments on the record, but on the other hand I find it highly disturbing that once again this government has chosen to seriously limit debate in this House.

We had the opportunity and we travelled this province hearing from people, listening to people, letting them have their input with regard to Bill 163. The first day of the meeting I asked the minister for the regulations and for any amendments that they may be bringing forward. The minister had neither. I asked the minister at that time what a minor variance was. He didn't appear to have the answer for that.

We're here today, as directed by the Premier, to strangle the democratic process and bring in closure. As the House leader said, we're only back in this House sitting two days and we already have a closure motion.

There were many people we listened to who had a lot of concerns. There were a lot of people who wanted some changes made in this piece of legislation. We listened to many wardens from across this province. We listened to many municipal people and we heard debate from some of the members and from the government members on how they felt the legislation could be changed.

From all of this, we had 200-and-some amendments. In all my 13-plus years that I've been here, I have never seen a piece of legislation with so many amendments. We've had some other legislation that's had 100 amendments. It's totally, totally unacceptable to be drafting legislation—I don't know who's doing the drafting; it must be some of the colleagues of the member for London South; it's London South, I believe, Mr Winninger—who have never drafted legislation in their life before to be doing this.

We have the parliamentary assistant, who just came in to listen to some of this debate, who tried to answer many of the questions that we had in committee. He found it very difficult to answer those questions, and the ministry staff had a lot of difficulties, because of the major piece of legislation that we had. This piece of legislation should have been three different bills. There's the Municipal Act, the Planning Act and the conflict-of-interest act.

We had some amendments we wanted to deal with, some of the amendments the Liberals had, as well as we did—AMO wanted to have presented to the committee. We presented those amendments. There may have been one tiny amendment that passed, but all the amendments that AMO had and we had were turned down.

When you have an organization such as AMO that represents 700-plus municipalities in this province and they are not being accepted as amendments, I find some difficulty in that. I also find it difficult that when we were dealing with amendments, the ministry staff didn't feel that any of them were acceptable as much as the parliamentary assistant was.

The communities in rural Ontario had a major concern with the severance policy. They have a major concern with regard to—I believe it's section 20—the erection of buildings on such land as they may deem to be contaminated or may deem to be inappropriate to be able to build on. They have put some restrictions in that I'm telling you are going to be difficult to accept.

We have had many associations, the home builders' association and some of the others, that have made some very strong recommendations. We also had the opportunity to listen to the Federation of Ontario Naturalists, who made some very good points, and we had the County Planning Directors of Ontario, who made some strong recommendations towards this bill. I don't know if there was one of those recommendations that was accepted.

Today, I'm still getting briefs from municipalities with regard to this Bill 163. I got a letter from some people who wanted to meet me the week of October 16 and 17 to discuss some amendments that they wanted to bring forward to have some input with regard to Bill 163.

We have closure today. Monday, November 14 will be



the next day we'll be debating this bill in committee and, from what I gather with regard to this closure motion, we will probably only have about 30 minutes in committee. At that time there will be over 100-and-some amendments that will be deemed to have been made.

1700

To the people out there who had input into the committee when we travelled the province, we have over 200 amendments and these people now will have no say in any of these amendments that the government has brought in. That's why I asked for some of the amendments during the hearings. Let these people have the opportunity to talk about what the government changes are going to be. These people actually have been shut out of the system, in essence. We ourselves wanted to have a look at those amendments, over 200-some amendments in a 100-page bill, which is totally, totally unacceptable in my books.

I had an amendment that I wanted to present. It was near the end, around the 200s, and it had to do with municipalities that had a 30,000 population or less, that these municipalities would not have to be included in the conflict-of-interest legislation.

There are many municipalities in northern Ontario that had input into this bill that felt they wanted to have the opportunity to not have to bother going to the OMB for approval. They felt they could make that decision in northern Ontario. Many of us felt the same way, that they could do that. But no, the legislation is changed now. That's the way Sewell wanted it, in my estimation, and that's what was in the original bill, that the severance policy would be dictated by the local municipality. Now they have changed it back whereby now you have the right to appeal to the Ontario Municipal Board. Unfortunately, that's what a lot of the recommendations came—and the government looked at those very, very serious delegations and decided that it would allow that to revert back to that.

When we look at this bill and we look at the closure motion, and when we talk to the AMO people and we talk about the planning process and the private developers, and we look at the amount of days, whether it's 180 days or three years—they've changed the two years to three years that you can continue to have the plan, and then you've got to reapply.

When we're looking at the GTA and the communities outside of the GTA, they have altogether different priorities, and I understand that, but this bill, with closure, with 100-and-some amendments not even being debated in committee—they're all simply going to be deemed to have been made—I find that really unacceptable in dealing with legislation in this province. Both House leaders have said that if we had been back here at the appropriate time according to the calendar we've got, then we would have been able to do the proper business of this House, and we can't do that because we were not here in time to do it.

I wanted to put a few things on record with regard to this non-confidence motion that's before us. I've attended pretty near every day in committee. The people who had their say, in my estimation, are being shut out of the

process because with all these amendments they now have no input. We're going to have half an hour in committee on the 14th of this month, the bill will be passed within a day or two and it will be final.

I say to the government, shame on you.

**Mr Alvin Curling (Scarborough North):** I wasn't looking forward to debating this motion because I didn't think that this New Democratic Party government would bring about a closure of this nature on this bill especially. It is in that sense that I am disappointed that one has to rise to speak on this closure motion. I still have that little feeling in my heart that they'll come to their senses and become democratic in their process. Basically, like the rest of the people in Ontario, I've lost faith completely with this government to govern at all in a very democratic way.

You heard my colleague say that we've been off from this Legislature to conduct the business of the province for almost four months. We've been off since June 23 and we returned just a couple of days ago, October 31. Lo and behold, we found that this government, which is scared to be in the House to be accountable to the people, running scared immediately, thought that we should go back to our constituencies and maybe attend to matters there.

I've been attending to matters all along in the time that I have been in this House regularly. Constituency week at this time is completely unnecessary and, as a matter of fact, a way to hide from being accountable to the people of this province.

Madam Speaker, you know of course that as we return on the 14th, we will be out of here again, I think, December 8. My golly. Then in the meantime to say to the people of the province that we're running out of time, we're not able to do the business of the day and we'll have to put closures on many of the bills—of course, you heard one of my colleagues talk about more closure coming here. As you sit there, Madam Speaker, you hold also my word that there will be more closures to other bills that will come in here, because they're running scared, don't want to be accountable to the people or even answer the questions that will be put forward. This is really a sad time.

As a matter of fact, as I reflect, I was in the House in the time when members of that party were debating some of the things that were put forward by our government, David Peterson at the time, the Liberal government, and they spoke for long hours. One famous member of theirs spoke for 17 hours in the House, seeing that they would more or less delay a bill that we were putting through. We did not put closure through. No, we continued to say that they have that democratic right to speak and let people hear the debate put forward.

I will continue with that. What happened? Lo and behold, they became the government of the day, and I'm sure they will put more closure into this Parliament than any other government in the time that they will spend.

But there's a good side to all of this in this wonderful democratic country. The day will come, and it can't be too soon, that the people will speak with their Xs and

mark this New Democratic government out of office for this very undemocratic way that it has conducted the business of this province.

Let me just directly go to Bill 163, because I could speak for hours on this too. Bill 163, Madam Speaker, as you know, with all the fanfare—and someone I've worked with, Sewell, has done a report on this—was acclaimed and was trumpeted into this House when this report came out. The government of the day immediately proceeded to put legislation to that report: Bill 163.

Mr Sewell himself was extremely disappointed to see what the report he had done after, he himself admitted, going around the province, having some views of his own: "I was changed dramatically by what the people wanted, because they really want an organized effort on how the municipalities conduct their business, and how businesses were concerned about how things were done. So here is the report, not my report," he said, "but the people's report of what they saw and how things could be changed. Now, government, get together and put your heads together and put the legislation together that will reflect the needs of the people." He was extremely disappointed at what came out.

We go through the process to the people. This government said, "Let's go out to the people," and we spent approximately 14 days outside in committees around the province. I went to every single one and I heard people voicing their objections to many sections of this. As a matter of fact, while we were hearing that, and AMO came forward with a massive amount of amendments to this, while we were hearing all of that, did you know, Madam Speaker, that the government itself brought in a massive amount of amendments to the same legislation that they brought in?

There were 250 amendments brought in to this little, tiny Bill 163: 250. Of course you will ask me, Madam Speaker, and the people out there are wondering, "Did all those amendments belong to the opposition?" But 140 amendments came from the government. They themselves said, "This Bill 163 we have, we ain't got it right yet, so we will put 140 amendments in to correct it."

1710

The parliamentary assistant, the member for Essex-Kent, sat there really surprised, as a matter of fact, as the honourable gentleman that he is. He said to us in the committee, "Yes, we have amendments." Sometimes they were changing it as it went along. We were in some sections and he said to us: "Could we stand down the entire section? Because awaiting us in the corridor are more amendments coming in to fill that big gap we have there."

Madam Speaker, you'd be surprised the members who sat there didn't even understand the bill themselves. They brought the SWAT team in. Every day we had a new SWAT team explaining the bill that the government should have, and I want to take my hat off to the civil servants who came there. They did a very good job trying to explain what the government was thinking, and I want to say to them they did an excellent job. They came about 5% near to what they were thinking. However, 140 amendments came in from the government, and the other

110 came in from the Liberals and the Conservatives. So they knew they were in trouble with this bill. They knew that something was wrong, that it wasn't right.

AMO came in with a number of amendments and said, "Listen, we are in touch, more so than you, with those municipalities, and they are concerned." Of course I would concede that AMO is more in touch with the municipality than, you would say, the Liberal Party, the Conservative Party or the NDP. So we listened very carefully and, Madam Speaker, you know how much that impact of closure should be.

So here we are. We got back into the House to do clause-by-clause. We do clause-by-clause and as we go along, even while we were doing their own amendments that the honourable member from Durham West—you should hear it, Madam Speaker. We in the opposition would stay back while the member for Durham West argued among their members about what is right, what is wrong, what should be in it.

Sometimes the poor parliamentary assistant, as I tell you, who I know hasn't seen the doors of cabinet, was trying to represent his minister there, and I think he's an honourable and capable man. I was quite surprised that he was not called into those inner chambers when they were doing their little shuffle, and he should be there because that could have helped you somehow.

But, Madam Speaker—and, as you change, Mr Speaker. What a conversion there; one minute you look around, and they change the Speaker. But, Mr Speaker, when they look around, the member for Durham West himself went against the grain of the whipped-in caucus of the NDP and voted sometimes against some of those amendments. But I think they're called in as a caucus. They use the caucus quite often because it is in trouble.

Closure on this bill is so undemocratic. The people outside would like to see the debate. They want to know what's going to come about. They're going to look in a very undemocratic way and turn around and say: "None of these amendments by the AMO, none of these amendments by the opposition members will be ever reviewed again. We will consider everything here as being what we want or what we had placed and to be a given."

That is a rather painful thing to feel in this very undemocratic NDP, who came in and said, "We speak for the people and we of course are in touch." Even Mr Sewell, who we know was quite familiar with the NDP, quite sympathetic to their philosophy, is today being disillusioned by the way they think, the way they carry out their work. He feels: "I have given up. I will no longer feel that I can be responsible and feel authored to the fact that I made all these changes to 163, to the Planning Act."

There were people, as we went around, who were concerned that they didn't have an opportunity to make any presentation because of the short time. They said the amount of change that was happening—a massive change of how the municipalities will conduct themselves in many, many areas. I don't want to get into any part of that legislation now, because there are so many things that people were concerned about, but they were concerned that the opportunity to make themselves heard in



this committee was denied, because this government wanted to rush things in so that when they come back and ask for an election, they can say, "We have done all of this." That's not the way you do things, to count them, and to do it badly, to rush it.

Here is the Ontario Property and Environmental Rights Alliance which had written to us. They felt even today, and I hope they are listening, that they had an opportunity. They want to get in. They want to meet with us to talk about Bill 163, because they know that it "affects our collective membership." They say, "We express apologies for this unexpected imposition on the time and the patience of its caucus"—because we were ready, the Liberal caucus, to hear them—"but the extraordinary haste in which this provincial government is now proceeding with Bill 163 calls for matching urgency in advocating its searching review."

They still believe they have an opportunity to make their presentation, to make their thoughts known in regard to Bill 163, and hope they can make a difference. Somehow they thought this would make the difference for them to make their presentation.

Mr Speaker, through you and through the great media—I hope they're listening—that is shot now. No longer will they have that opportunity. And then this government sits here and says, "Bill 163 is about communities and how they will govern themselves properly, because they are the only ones who will be able to say to themselves, 'We are able to develop our community the way we want'"—no way. AMO has been denied, this organization has been denied to be heard, the opposition has been denied to have any amendments to all of this, and then they will turn around and say to them, "Yes, this is about communities and how they can govern themselves."

I'll use this last five minutes to appeal to the conscience of this New Democratic Party, this democratic party that talks about democracy and involvement of all the people. I know there's a conscience in each one's mind there to say to themselves, "Don't do closure on this." Do the big thing. Say to yourselves, "You know what, I really don't believe that the people have gotten the chance to be heard, that amendments have gotten the opportunity to be examined and re-examined."

In the process of amendments, as you know, looking at amendments, what it does is it gives an understanding of the legislation. So much legislation has been passed daily through this House and no one outside has a clue what it's all about. It's been rushed through. Then we go back to the sense that ignorance of the law is no excuse. Yes, it's an excuse, because you're quickly rushing it through without the people having an understanding.

1720

I may start with the members of the committee. I'm going to start with the member for Essex-Kent who I thought tried his best or he listened in some respect. Changes weren't coming about really, but he listened. I'm going to say to him, as the Chair at the time on that committee, to think about it. You were there all along, patiently listening to them all and patiently watching people whom we tried to schedule who were not even on

that at the time to say: "We have come this far. We give you 10 minutes or 15 minutes to say your piece." Hundreds were shut out. I say to you, yes, those knocks on the door can be appealed to now and go back to your minister, who I had hoped would have visited us one day in committee, and say to him, "Mr Minister, I think we should really not put closure on this; there's a lot to be heard."

The other members, who from time to time were on the committee as we went around, listened and made their little shots and came in to get some photo ops and all that—I know that's a part of the game, how to put their own views in their community in; to say to themselves, has your community that had appealed to you got an opportunity to have your amendments even heard? I know they have the numbers on there, I know they've got the numbers and they will vote it down if they don't want it. But the courtesy of it all, the basic principle of democracy is to be heard and I'm saying to you, go back to those basic principles and say: "Let us hear them. Let us hear them and not put closure on this bill."

There are so many important things that will happen in this legislation, this omnibus bill, this large bill that will change many things within there, within the legislation, within how we conduct ourselves in the municipality.

Let us start hearing from these people so they will have a better understanding why we're not even voting on these amendments, why we are turning it down. Those members there, as you sit there, please think about that. The others, who may be told that you should vote along with what the minister wants or the Premier wants, don't be like that, don't be led blind into all of this, because it's going to affect you. The people in your community will come back and say: "I don't even know what's in that bill. I don't understand it. I understand there were some amendments."

The colleague from the third party had mentioned how, when they started out, some of the proceedings will go through the municipal board. The fact is that after a time they've decided it will not go through there and after a time it will revert back to what normally they used to do. They saw the light in some respects, and you know why they did that and you know why you all did that? Because there were presentations and there were appeals upon appeals to say the process will not work the way they had suggested. That's democracy: legislation for the people and by the people. And all of a sudden this New Democratic Party who doubted all of that kind of philosophy once upon a time has now realized that the time has come when they have to act on some of the things they believe in.

No wonder, when I read this book, *Rae Days*, I thought really that it is something you all should have required reading about, because it tells you how this illusion—some of the NDP members themselves, who feel they have been guided by a blindfold situation. The fact is that quotations and remarks are coming from NDP members and I will say to them, isn't this the time that you should then, at the night that is coming now, on the day it will come out, when you have to say to yourself, "I have to come back to my own principles and say, 'Let

us be democratic, let the people be heard,'" and for God's sake, or for whoever's sake it is, let them not put closure and block the people out from being heard.

I hope that somehow, even though they don't vote on that and vote other than the way I'd like them to go, some sense, some reality will come to them.

**The Acting Speaker (Mr Noble Villeneuve):** Further debate on government notice of motion 35.

**Mr Chris Stockwell (Etobicoke West):** Mr Speaker, I'd like to thank you for giving me the opportunity to speak to this closure motion. I'm somewhat disappointed that the government has decided today to move closure on Bill 163.

I suppose the thought I would like to put forward is that the government spent a tremendous amount of time in committee trying to get all kinds of people to come forward and comment on the bill, which is certainly a worthy thing to do. I certainly applaud the government for doing just that, and travelling the province and asking constituents what they think of Bill 163.

When they go out and ask constituents what they think, they should be prepared, if they're going to go through that exercise, to also follow up and sit in the committee stage and hear the amendments those people bring forward in hopes of improving the piece of legislation they're offering up.

The legislation as written was clearly flawed. The government itself will admit that the legislation as written, presented to this House on first and second reading, was clearly flawed. It was flawed because it was legislation with 85 sections and the government has offered up 140 amendments to an 85-section bill. I'm not saying that's bad. Maybe that's a government that's prepared to look at some legislation and changes to legislation in order to make it a little bit more palatable for the people who must live under that piece of legislation.

But if this government is prepared to offer 140 amendments to an 85-section bill, it should hear about those changes from the opposition parties and from those people who made representation to it at committee, and you can't hear from the people when you move closure. That's an unreasonable, unfair motion that is not accepting of the responsibility of a government to hear from the people when legislation has been introduced.

There are lots of closure motions this government moves, and there are closure motions that possibly—possibly—can be argued. But this closure motion can't be argued with any seriousness. The argument is simply that the legislative calendar that's left does not provide enough time to allow opposition parties to voice the concerns that have been registered at public hearings across this province, and the only reason the legislative calendar does not offer appropriate time is because this government chose not to come back to work for five weeks.

That is not the opposition parties' fault. That is not the fault of those people who came to the committee in good faith and asked for changes. That's not the fault of the ministry, which offered upwards of 200 amendments to

an 85-section bill. That's the fault of you: You're at fault for this closure motion. There may be no blame placed on this side of the House.

If we came back in September when the legislative calendar said we should come back, we would've been provided with ample time to deal with this bill. We would've been provided with ample time to deal with the 200 amendments before the committee. We would've been provided with ample time to debate this as it should be debated, because it's a very controversial piece of legislation.

One of the most controversial parts of this legislation is the conflict-of-interest guidelines surrounding elected officials at the local level, and not one minute of debate was provided for that and not one amendment was moved by this government, though it offered up so many changes to the legislation. That's unconscionable. That's unconscionable because the only reason it wasn't put before that committee and isn't going to be put before this House is because you didn't come back to work for five weeks. That really frustrates me, and I know it frustrates those people who came before the committee and asked to be heard.

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We on this side of the House in this party understand that this government has a majority, and we understand that at the committee level this government will outvote us, and we understand that in this chamber, when debate is finished, we will more than likely lose if the government disagrees with us. We understand all that. We understand that you have a majority and we understand that the will of your caucus and your cabinet and your Premier will rule the day.

What we in this party fail to understand or comprehend or consider fair and evenhanded is why you must move closure on pieces of legislation like this, that impacts everyone outside of Metropolitan Toronto in this province, when you didn't come back to work for five weeks. I don't understand it. I don't think it's fair, I don't think it's reasonable, and it frustrates us in opposition to the highest order.

Closure is undemocratic, it's normally unreasonable in most cases, and, in my opinion, shuts down the rights of the minority that you as Speaker are charged to protect.

I know this piece of legislation is not going to work in a lot of sections. I know the amendments offered by the government are in good conscience, but I know I could make some changes or offer some advice that could in fact make it a better bill. There are 50-odd people on this side of the House who have some ideas that would make this piece of legislation work. There were hundreds of constituents who came forward and offered salient, thoughtful deputations to improve this piece of legislation.

None of it will be given the time or the airing it deserves, only for one simple reason: This government didn't come back to work for five weeks. There can be a lot of reasons for closure, and maybe some of them are acceptable, but one reason that is unacceptable, unconscionable and unfair is that you won't show up to work.



There's no more debate with respect to this closure. There are no special rules of procedure that this government can bring forward. There's no legitimate argument the House leader for the government can bring forward. There's no tangible, real evidence that this government has a salient or arguable point for moving closure other than the fact that it is boldly, obviously and dangerously embarrassed by its lack of willingness to work.

I am ashamed to stand in this House and have to speak to this closure motion because 70-odd members across the floor are tired of coming in here, are embarrassed by their government, and are ashamed of what they've done because they won't stand before the people in the House you were elected to stand in and defend your actions on a day-to-day basis.

Closure on Bill 163 stinks. As far as I'm concerned, it's one of the most painful and obvious and downright despicable motions this government has brought forward—not based on philosophy, not based on ideology, not based on fact, not based on committee report, not based on committee hearings, not based on amendments, but based solely on the idea that they don't come to work and that if they don't come to work, we don't come to work, and: "To hell with the opposition, to hell with your voices. We'll just shut you down." Shame on you, government.

**Mr David Johnson (Don Mills):** Perhaps to build on the last speech by my colleague from Etobicoke West, we are talking about the Planning Act in the province of Ontario, and the Planning Act affects each of us where we live in our communities. It affects where we live, it affects where we work, it affects all aspects of our life.

The Planning Act governs the municipalities in terms of where they permit houses to be built, under what conditions houses can be built, the process where industry is constructed, retail stores are constructed—basically where all of Ontario is built. It is an issue that is very close to home and impacts on each and every one of us in the province of Ontario, and it deserves the full attention of this Legislature.

It deserves to be fully debated, it deserves that we give our attention to each and every clause and that we are prepared to hear all of the deputations from all the municipalities across Ontario and be able to, on a clause-by-clause basis, analyse their concerns throughout the whole bill, all 100 pages of this bill, all 250 amendments that have been put forward to this bill, about half of those by the government itself.

With closure, we do not get that opportunity. We do not get the opportunity to scrutinize the bill, to make sure that a bill that is important to each and every one of us in the province of Ontario, that will affect our future in the province of Ontario, is given its full scrutiny and is the best bill that we can make for the people of the province of Ontario.

There is a need to streamline municipal government. All levels of government tax too much, spend too much and regulate too much. The planning process in Ontario can indeed be time-consuming, inefficient and expensive, and it's complicated by the involvement of numerous ministries, agencies and departments at both the provin-

cial and municipal levels of government.

This bill does set out time lines—for example, six months for an official plan amendment—which perhaps will speed up the process. But it also introduces complications, complications that we have not had the full opportunity to debate in the committee. These complications could well increase the uncertainty in the planning process and could slow down the planning process and therefore be counterproductive.

I believe when this bill was contemplated in the first instance the concerns were with regard to environmental protection and, indeed, we know that a concern of this particular government is social policy. So this bill and the six policy statements that accompany this bill are geared towards the environment and geared towards social policy; they are not geared towards planning in the province of Ontario, and they are certainly not geared towards economic development in the province of Ontario.

Economic development should be the focus now; economic development to cut through the red tape of planning, to allow construction to occur more quickly, to permit jobs to be created. That is definitely not the focus of the bill. That is an add-on as an afterthought to this particular bill, and it is very poorly dealt with.

Just in my few short minutes left I'll say that one of the concerns that the construction industry has put forward, the home builders' association, for example, is that the wording in the policy statements and the wording in the bill itself is vague.

I point out that development will not be permitted in significant ravine, valley, river and stream corridors. Now that sounds simple enough, but the problem is, what does the word "significant" mean? Well, the word "significant" is poorly defined, and the poor definition ultimately indicates that we need to look to the regulations. So we really don't know what the word means; the construction industry does not know what the word means; the local municipalities will not know; those who are interested in the planning process will not know. It will be a complicating factor. It will be a hook on which to appeal development. It will slow down development.

There are other phrases used within the bill itself. The purpose apparently is "to promote sustainable economic development in a healthy natural environment." I asked the staff of Municipal Affairs, "What does that mean?" They couldn't tell me. They said they really didn't know. There are words laced throughout the act of that nature and words throughout the six policy statements accompanying the act that are not well defined, that will be sore points in the planning process, that will cause appeals that will slow down the planning process.

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The six policy statements are directives imposed on all of Ontario. They're imposed on Toronto, they're imposed on Thunder Bay, they're imposed on the city of Ottawa; right across, rural, urban, all aspects of Ontario have these policy statements imposed upon them, and the municipalities must be consistent. There is no flexibility.

From a rural setting to an urban setting the municipal-

ities must be consistent with these policies, whether they make sense or whether they don't make sense, whether there are local conditions where the people can agree on a course of action or not. The municipalities are put in a straitjacket. This will certainly be a hindrance to planning in Ontario.

Finally, I would just like to say that there is going to be a considerable cost to implementing Bill 163. Municipalities will be required, and there's no doubt about that, to update their official plans where their official plans are not in accordance with these policy statements. They'll have to do that. Every five years they're being compelled to do that. That will be enormously costly. It'll be a great boon for consultants, planners and lawyers, but it'll be tremendously costly to municipalities. That is what they call downloading, and I think that's most unfortunate.

**Mr Jim Wilson (Simcoe West):** I'm pleased to rise and to speak for just a few short moments on Bill 163. I think it goes without saying, and you've heard it many times this afternoon, that I and my colleagues in the Ontario PC caucus are absolutely appalled that once again the NDP government is using its majority to close down public debate on this legislation and that the government is once again bringing in closure on a piece of legislation that is fundamental to the future of this province and a piece of legislation that needs more public debate, because what we've heard and what we've seen in committee and what the bill now contains is a bunch of hogwash.

The government claims that it's streamlining the planning process in this province. They're doing everything but streamlining the planning process in this province. For example, I think of the costs and the new bureaucracy being created by the planning section of Bill 163, which requires upper-tier municipalities and lower-tier municipalities to have official plans. That is a ridiculous duplication of effort, of time, of cost and of resources.

It seems to me in the area that I represent, which is a mix of rural and urban Ontario, that one level of government should do the official plan and not both, that it is indeed duplication and a waste of resources to put everybody through the same hoops and over the same hurdles, because we're dealing with the same piece of land, and surely to goodness, when you're dealing with the same piece of land, you don't need two governments, upper- and lower-tier municipalities and the provincial government, all bidding to have their way with this piece of land and with the property owners.

This bill flies in the face of property owners in this province and a right that they should have, a fundamental right that they should have, and that's property rights under our constitution. This government fails to recognize that that should be a fundamental right of people in this province. It's something that land owners and private citizens in my riding have consistently called for, and it's something that this government simply ignores and of course complicates matters with Bill 163.

Briefly, we received an excellent brief from the Ontario Property and Environmental Rights Alliance, OPERA. The members of that alliance include the

Association of Rural Property Owners, the Georgian Triangle Development Institute from my area of the province, Grey Association for Democracy and Growth, Niagara Escarpment Landowners Coalition, Ontario Citizens for Responsible Government, Ontario Ski Resorts Association—both the member for Grey-Owen Sound, Mr Murdoch, and I have a number of ski resorts in our ridings, and the owners, operators and employees of those resorts are very worried about Bill 163—the Ontario Taxpayers Federation, the Ontario Woodlot and Sawmill Owners Association and the Voice of King Area Landowners.

I want to just put on the record their summary of this brief that was sent to all members of the Legislature on October 11. It reads:

"We find Bill 163 to be repressive, misdirected, overly complicated, expensive, ideologically driven, economically counterproductive and extremely undemocratic." They certainly don't mince words. "The people most impacted, farmers, woodlot owners, rural residents and recreational property owners, will be forced to pay higher taxes to implement urban-oriented policies they neither need nor want.

"Rural landowners' property rights are arbitrarily extinguished in the name of environmental protection by urban policymakers who have no investment, sense of responsibility and cannot be held accountable for their actions. The impacts on farmers will be unnecessary regulations which devalue their properties. Rural communities will experience a cessation of growth and economic activity. If every land owner whose property is devalued by the removal of the right to erect buildings, use existing buildings or create lots appealed their assessment, the true magnitude and cost of this 'land grab' would become apparent.

"Local politicians should pause before passing restrictive bylaws which confiscate property rights. They must consider the potential for reassessment and a smaller tax base. Provincial politicians should be aware of the costs to a provincial treasury which will be forced to supplement the resulting municipal deficits. The economic implications of this bill to rural Ontario cannot be ignored. The protection of the environment is a worthy goal, but the taxpayers deserve to be told who will pay and what the costs will be. In its present form, Bill 163 is totally irresponsible and should not be passed either now or in the future."

I could not have summarized the concerns of many of my constituents better than what OPERA has provided to us. They go on to make 10 recommendations, the greatest of which is that this bill should be withdrawn, that more public debate must be allowed on this important issue which affects the future of all Ontarians and, most importantly, affects those of us in rural Ontario because it means the end to development, the end to growth in rural Ontario. John Sewell messed up Metropolitan Toronto. This government has given him a contract to mess up rural Ontario. We reject that. We will continue to fight.

Unfortunately, this government has decided to use its majority. Something that used to be seen in the Soviet



Union is now here, alive and well in Ontario. It's called dictatorship from the top. That's what Bill 163 is about. That's what the process has been about.

We reject that. We stick up for rural Ontario and we're going to keep fighting for the good citizens of my area, in Simcoe West and Grey and throughout rural Ontario, because we think this government is misdirected, is lost, and its ideology deserves to be put on the scrap heap of garbage that will be recorded in the history books when history looks at the record of the NDP government in Ontario over the past four years.

**Mr Bill Murdoch (Grey-Owen Sound):** I welcome the opportunity, though brief in the light of the length of this session, to comment on Bill 163 and our socialist government's usual efforts to ram legislation down the throats of the residents of Ontario.

Judging by the stacks of correspondence and submission papers in my office, I could stand here for hours, maybe even days, talking about the detrimental effect this bill will have on development in Ontario. However, due to this government's continual denial of our right to debate, I'm only afforded minutes to speak on behalf of my constituents, on behalf of the property owners in this province, which, not unlike the committee hearings, is likely an effort in futility, because you don't listen to what the people have to say anyway.

I'll take the small scrap of time you've thrown me, and with the clock ticking I'll get straight to the point. In a nutshell, Bill 163 amounts to nothing more than petty theft on the part of this government. The rights associated with property ownership form one of the basic foundations of democratic society.

It is no secret that I'm a strong supporter of private property rights, which I feel are intrinsic to the free enterprise economic structure of this country. Last year, even Russia enshrined property rights in its first truly democratic Constitution. Apparently, the Russians understand that property rights promote social stability and economic growth. Unfortunately, this stand of logic accepted by countries around the globe continues to elude the Ontario government.

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According to the Minister of Municipal Affairs, there are three underlying principles on which Bill 163 is based: (1) Municipalities will be given a greater role in land use planning and development approvals; (2) streamlining the planning process to permit environmentally sound development proposals to proceed more quickly, creating more jobs in the construction industry; (3) ensuring that the environment is better protected through a comprehensive set of policy statements.

To each of these I cry foul. Under Bill 163 in its present form, none of these three principles has a snowball's chance in hell of ever being realized.

First, the requirement for all official plans to be consistent with the provincial policy statements totally deprives local municipalities from playing any meaningful role in future planning matters. In addition, I am incapable of comprehending how this government can argue that Bill 163 will further empower municipalities,

and then include as part of the same bill a section which outlines the type of development plans and establishes development planning areas which may be approved by the Minister of Municipal Affairs.

We definitely have a contradiction here. You assert that one proposal of Bill 163 is to empower municipalities and provide for more local autonomy, while at the same time in schedule A, the Ontario Planning and Development Act, 1994, you allocate more approval powers to the Minister of Municipal Affairs. It doesn't make sense.

The Ontario Cattlemen's Association in its brief states that Bill 163: "takes away the flexibility of local elected councils and boards related to planning issues and places it in a centralized bureaucratic structure. This point is evidenced in the proposed purpose section to be added to the act where it states '...to provide for a land use planning system led by provincial policy.'"

"What is not stated is that local councils and boards will have their hands tied by central bureaucrats using policy statements. We view this change as a coup d'état for the central bureaucrats over the authority and autonomy of locally elected councils."

With respect to principle 3, streamlining the planning process is more a façade than a reality. The proposed changes to the Planning Act purport to support streamlining through time frames and screening of appeals. I believe, for a number of reasons, that both of these are unsatisfactory and that other opportunities to shorten the process have been completely overlooked.

In addition, I foresee very few new jobs being created in the construction industry because few, if any, new development proposals will ever be considered environmentally sound. This will be especially hard on areas of the province such as my riding, which is mostly rural and where an entire host of new environmental concerns has been added to the list of factors which must be considered before any new development can ever begin.

For example, section 20 of the bill uses subjective words like "significant" to outlaw all forms of development or land use in any "significant natural corridor, feature or area." This section alone could be interpreted to include every square foot of my riding and perhaps even the entire province.

Finally, with respect to environmental protection, I question whether the environment will ever be truly protected by the overly comprehensive policy statements of this bill. When land owners—yes, I am referring to private property owners, which you people wouldn't understand, the most evil of them all, as you've said—become aware of the potential ramifications of these policy statements, they will eventually realize their property rights are being quite deliberately stolen out from under them.

As an example, I have in my hand a letter from two very concerned—no, actually two very angry and frightened—constituents of mine. This couple lives in Kimberley, and as rural property owners living in the controlled Niagara Escarpment corridor they are quite familiar with development control. Now, as if they don't

have enough to worry about with the NEC, to add insult to injury they are faced with the negative implications of Bill 163.

The letter reads: "After having worked continuously for over 45 years, and having paid taxes in this province for all these years, home ownership represents our combined life savings and is the only security net that we have. This is our only home and not a second home or cottage. The Niagara Escarpment Commission and government agencies are deliberately depressing the value of properties on NEC-controlled lands by putting increasingly stringent controls on these lands. What enrages us now are two provisions in the proposed Bill 163:

"(1) Part III, regarding natural features and areas, 'prohibiting the erecting, locating or using of all or any class or classes of...structures within any defined area or areas;

"(i) that is a significant wildlife habitat, wetland, woodland, ravine, valley or area of natural and scientific interest;

"(ii) that is a significant corridor or shoreline of a lake, river or stream, or

"(iii) that is a significant natural corridor, feature or area, or...the site of a significant archeological resource.'

"It appears to us that the province would have the arbitrary, dictatorial power to force us from our residence.

"The second point of concern is with part V regarding the power to acquire land, which reads,

"'For the purpose of developing any feature of a development plan the minister may, in the name of Her Majesty, acquire by purchase, lease or otherwise, or subject to the Expropriations Act....'"

What this means is that the government can take their land away without true compensation. The problem is that they won't get the true value for their land because of these controls that have been put on by the government and government agencies.

What's happened is that our rights have been away from us as an opposition party to debate these things. We have sent our committees out and have gone around the province and heard from people. Now the government comes back with a hundred mistakes it made in its first bill, but the people of this province will not have a chance to debate these concerns. The government first of all creates a bill and then ruins the bill with another hundred mistakes it made. This is a farce and this undemocratic government is ramming more things down our throats.

**The Acting Speaker:** The honourable parliamentary assistant to the Minister of Municipal Affairs to wrap up.

**Mr Pat Hayes (Essex-Kent):** I do find it very interesting when the opposition gets up and says it hasn't had enough time, that there hasn't been enough consultation on this bill. It's very, very interesting that this bill—as a matter of fact, Open Local Government, members would recall, was first introduced in a discussion paper back in April 1990, and it died on the order paper.

As a matter of fact, on the Municipal Conflict of Interest Act, in the spring of 1990 the Minister of Munic-

ipal Affairs released a discussion paper which highlighted issues and concerns surrounding municipal conflict of interest.

In 1991 a consultation committee was put together and toured the province, holding 24 public meetings. The committee was composed of 11 members representing AMO, the Ontario School Trustees' Council, the Law Society of Upper Canada, local government bodies, citizens' associations and the journalism and academic fields. It received 250 submissions and prepared a report containing its recommendations for change. That was in 1991.

Open Local Government proposed changes in three important areas. It proposed changes to the Municipal Conflict of Interest Act. It also proposed that council and local board meetings be more open, and rules to govern the sale of lands by a municipality. More than 550 submissions were received in response to Open Local Government.

Then in 1992, in the interests of fair and workable legislation, the government agreed to an AMO suggestion and established the provincial-local government working group. The group reviewed the submissions against the draft, the Open Local Government legislation, and reported in 1992.

That working group was composed of 10 members, AMO again, the Association of Francophone Municipalities of Ontario, the Municipal Electric Association, the Ontario Public School Boards' Association, the Ontario Separate School Trustees' Association, l'Association française des conseils scolaires de l'Ontario and the Association franco-ontarienne des conseils d'écoles catholiques.

There has been all kinds of consultation, and this government has listened very intently.

The opposition talks about the 200-and-some amendments. They fail to tell the Legislature that half of them were theirs. Of course, they carbon-copied them from someone else. The member for Simcoe East—and this is an example of one of those amendments—said that he had an amendment that would exempt municipalities of under 30,000 population from the disclosure of interest. Out of the 817 municipalities, that would exempt 700 of them. Does that make sense? I don't think it makes sense at all, because the fact of the matter is that 40% of the conflict-of-interest complaints come from municipalities of 5,000 and less. So tell me if that makes sense.

At the same time, I do get quite a kick out of the PCs especially. One of their members gets up here and criticizes Sewell, says he doesn't know anything, and then the other member from the same party, Mr Wilson, gets up and criticizes this government for not doing everything that Sewell said. I think they should really get themselves together.

*Interjection.*

**Mr Hayes:** You should have been listening.

*Interjections.*

**The Acting Speaker:** Order, please.

**Mr Hayes:** They're complaining about not having enough time. That is not the problem. When the schedule



of the fall sitting was set, it was set in anticipation that because we gave the opposition all the time that they asked for in committee, we felt that would be sufficient to review the bill, but the opposition decided not to allow the bill to finish. It made almost no progress at all in the clause-by-clause. The people of Ontario shouldn't have to wait forever for planning reform in this province.

I wish I had more time to speak. The mayor of Vaughan, for example, said that full disclosure of conflict of interest should be mandatory for anyone in public office. Many of them have said it's legislation that's well overdue.

**Mr Jim Wilson:** On a point of order, Mr Speaker: I'd ask that Mr Hayes correct the record. I did not say Sewell was right; I said Sewell was wrong. How dare he get up here and misrepresent what I just said in this House a few minutes ago?

**The Acting Speaker:** Order. The member knows very well that only the member who spoke can correct his own record.

Mr Buchanan has moved government notice of motion number 35. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members; a 15-minute bell.

*The division bells rang from 1803 to 1808.*

**The Acting Speaker:** Mr Buchanan has moved government notice of motion number 35. All those in favour will rise one at a time and be recognized by the clerk.

### Ayes

Abel, Allen, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Farnan, Fletcher, Frankford, Gigantes, Grier, Haeck, Harrington, Haslam, Hayes, Hope, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Marchese, Martel, Martin, Mathysen, Mills, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rizzo, Sutherland, Ward, Waters, Wessinger, White, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winniger, Wiseman, Wood, Ziemba.

**The Acting Speaker:** All those opposed to notice of motion number 35 will rise one at a time and be recognized by the clerk.

### Nays

Arnott, Bradley, Brown, Caplan, Carr, Crozier, Cunningham, Curling, Daigeler, Eddy, Eves, Fawcett, Grandmaître, Hodgson, Johnson (Don Mills), Jordan, Mahoney, Marland, McLean, Morin, Murdoch (Grey-Owen Sound), Murphy, Offer, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poirier, Poole, Runciman, Ruprecht, Stockwell, Turnbull, Wilson (Simcoe West).

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 55; the nays are 33.

**The Acting Speaker:** I declare the motion carried.

It now being past 6 of the clock, this House will stand adjourned until tomorrow morning, November 3, at 10 o'clock.

*The House adjourned at 1812.*

**LEGISLATIVE ASSEMBLY OF ONTARIO  
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Speaker/Président: Hon/L'hon David Warner

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Chatham-Kent	Hope, Randy R. (ND)		
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Cochrane South/-Sud	Bisson, Gilles (ND)		
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A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Thursday 3 November 1994

# Journal des débats (Hansard)

Jeudi 3 novembre 1994

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers



Président  
L'honorable David Warner

Greffier  
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*50th anniversary*

**1944–1994**

*50<sup>e</sup> anniversaire*



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 3 November 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 3 novembre 1994

*The House met at 1002.*

*Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS DRUG DEPENDENCY

Mr Ruprecht moved private member's notice of motion number 50:

That, in the opinion of this House, since it is desirable that the province reduce the immense costs—perhaps \$500,000 or \$1 million per addict—of the crime committed by people who steal and commit mayhem in order to support their drug habits; and

Since intervention is needed to recover the wasted human potential and productivity associated with such addiction; and

Since most American states have legislated driver's licence suspensions for persons convicted of drug offences; and

Since the legal framework is already in place for medical treatment of addicts with methadone;

Therefore, this House urges the government of Ontario to amend the Highway Traffic Act and Courts of Justice Act to provide that the Ministry of Transportation receive notification of all convictions for drug trafficking offences and that it impose an administrative one-year suspension of (or postponed eligibility for, or postponed restoration of) the driver's licence of anyone convicted under any statute of a trafficking offence; and

To dedicate funds for methadone treatment; designate hospitals or other existing medical service providers which must make the treatment available and be responsible for the monitoring involved; and cooperate with the College of Physicians and Surgeons of Ontario quickly to develop guidelines to govern adequate and controlled approval of physicians for Bureau of Dangerous Drugs treatment licences, in such numbers and locations as will facilitate the orderly expansion of methadone treatment in Ontario.

**The Deputy Speaker (Mr Gilles E. Morin):** Mr Ruprecht moves private member's notice of motion number 50. Pursuant to standing order 96(c)(i), the honourable member has 10 minutes for his presentation.

**Mr Tony Ruprecht (Parkdale):** I'm delighted to introduce this resolution this morning. The intention of this resolution is to make it easy for people who are drug-dependent to get off drugs and to make it hard for those drug dealers. The question we must ask ourselves this morning is this: How do we reduce the human misery and suffering and pain by those experiencing drug dependency? A second question: How do we reduce the social cost of drug abuse in Ontario, estimated to be \$9.1 billion annually? That's the estimate by the Addiction

Research Foundation of Ontario, and it's a 1989 figure. This \$9.1 billion, a five-year-old figure, would be enough to wipe out this year's debt in Ontario.

How do we attempt to come to grips with this kind of question and the issue of drug dependency? Let's quickly pursue the history of this. There have been, of course, in Ontario a number of attempts made to answer this drug dependency question. The first major report, as all of us in this Legislature know, was the Ken Black report of 1988. Essentially, the recommendation was to establish a provincial coordinating body, and that that be clearly defined and identified to provide the coordination and focus and leadership to ensure that drug dependency would be reduced.

The follow-up report of the Ken Black report was the second major item. It was a 1989-90 report chaired by Garth Martin and called Vision for the 90's. The recommendation of that report was to establish special emphasis on early intervention. The recommendation that came from that report included the stopping or the termination of the US treatment. We had sent a lot of Ontarians down to the United States because they had better treatment, but of course it was a lot costlier. In fact, the estimated cost for Ontarians in one year was between \$50 and \$80 million spent in US treatment centres. It's a tremendous amount of money. The recommendation ensured that came to an end.

The third report was a follow-up to the Vision for the 90's report. It was a parliamentary committee chaired by George Mammoliti, which was nothing more than a PR exercise since the Vision recommendations of two years prior to this report were simply republished. The report, of which I have a copy, is called Caring For Each Other: The People of Ontario Respond to Alcohol and Drug Treatment Problems. Again, since the recommendations in this report were the same as the report of Vision for the 90's, nothing much has changed except that they say we have to care for each other.

The response would be: How can we care for each other if we have no drug treatment facilities or if they are reduced? What are the facts today? The facts are that the response to this report, which was the third report dealing with drugs in Ontario, was the destruction, the elimination of the Provincial Anti-Drug Secretariat. In fact, the very recommendation that was made in all these reports was eliminated. What was the recommendation? To establish focus and leadership to ensure that every Ontarian should have access to drug treatment.

We know the misery. We know what's happening out there in the real world. Why does the Addiction Research Foundation say the social cost is \$9.1 billion? That is a staggering figure. Why is the conclusion made in this report? It's simple: Every drug addict has one thing in



mind, and that is to maintain the habit. So all day long, what do the drug addicts do in Ontario? They try to maintain the habit, meaning they've got to steal. There will certainly be costs in our court system. The police have to come in and be effective, and finally, it costs all of us in terms of police reports, break and enter, violent crimes and so on. In fact, the mayor of Toronto, just a year ago, said, "Metro's flourishing drug trade is largely to blame for a 9.3% increase in violent crimes." In short, how can we come to a conclusion on this issue? If we think about how to reduce crime in Ontario, obviously the mayor is correct: Crime is fuelled by drug activity.

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So it is quite easy to see that we need to act and we need to act quickly. If we want to eliminate crime even one or two degrees, if we want to eliminate it or reduce it one or two percentage points, we've got to consider the idea that there's a relationship between drugs and crime. The response of this government has not been sufficient. That is, we have to re-establish a focus and leadership to eliminate the kind of mayhem that's being caused in our streets and to eliminate the human suffering and the human problems associated with drug addiction.

I apply my recommendation to the government leaders who are right now sitting there looking at me. You've got to do one thing: re-establish the anti-drug secretariat to produce the focus and leadership that's necessary; and second, and it is part of my resolution, of course, dedicate the necessary funds for an expansion of methadone treatment. That does not necessarily mean you put all the methadone treatment centres in one area, and Parkdale comes to mind here. That means the whole focus, the catchment area, beyond the boundaries of Metro Toronto. Where do people go if they want to get off drugs?

Every one of us probably has received phone calls from some concerned parent saying, "Please, MPP, find a space for my son" or "my daughter, because they want to get off drugs." What is our response? If you call any drug treatment centre in Ontario, and I dare you to do this, you will find that the waiting period for a person who wants to get into one of these centres to get off drugs is now between—can you imagine this?—six months and one year. If you want to get into a drug treatment program, it takes you six months to one year. That's unheard of, not only in terms of the continuation of human suffering and problems associated with it, but the very cost to our social fabric and to our social life in Ontario.

We've got to address it quickly because there are out there between 15,000 and 25,000 heroin addicts alone who are looking to us for some leadership, and some of them obviously try to get into a drug rehabilitation program, and we say no. We slam the doors. We wash our hands and we say, like Pontius Pilate, "It's not our problem." If it isn't a problem of Ontario, then whose problem is it? And then, of course, how are we going to deal with this issue?

There are three things that have to be done.

First, this government has to produce some leadership, and the one way to do it is to re-establish the anti-drug secretariat.

Second is that we designate health care providers, and I would think specifically hospitals, because hospitals would be most effective in terms of drug treatment. I know there are very few physicians who want to get into the program of drug treatment because of the associated and affiliated problems, so consequently the recommendation would be to designate hospitals that wish to get into the program, all over Ontario, not just in the one area of Toronto.

Third, and just as important, is the issue of cooperation between the College of Physicians and Surgeons of Ontario to develop some guidelines between them and the Bureau of Dangerous Drugs treatment licence programs in Ottawa. There has to be coordination.

Those are the three recommendations in this part of my resolution.

The second part of my resolution is obvious. That deals with automatic driver's licence suspensions for drug dealers. I'll address that issue in the next few minutes. At this stage of the game, I'd like to ask all members here to look at those three recommendations and to support them.

**Mr Allan K. McLean (Simcoe East):** I welcome this opportunity to comment on the resolution brought to the attention of this House by the member for Parkdale. In the briefest of terms, the member for Parkdale, recognizing the immense cost of crime committed by people who steal and commit mayhem in order to support drug addiction, wants the provincial government to amend the Highway Traffic Act and the Courts of Justice Act to impose an administrative one-year suspension of or to postpone eligibility for, or postpone restoration of, the driver's licence of anyone convicted under any statute of a trafficking offence.

As well, the member for Parkdale wants the province to dedicate funds for methadone treatment and expand methadone treatment programs and facilities in Ontario for addicts.

I support the resolution in principle, but perhaps it could be amended to recognize that Ontarians have been horrified by the recent number of alcohol-related accidents which have maimed or killed innocent people on this province's roads. To that end, my PC caucus colleague the member for Mississauga South has been working on legislation which would revoke a repeat drunk driver's licence for life.

As well as revoking driving privileges for repeat offenders, the member for Mississauga South wants an automatic suspension of a person's licence while awaiting trial on an impaired driving charge or confiscation of a person's automobile if that person drives while his or her licence is suspended.

My colleague noted that 59% of convictions for drunk driving in 1992 involved repeat offenders and that drunk driving is the number one killer of young people. Perhaps the member for Parkdale might consider amending his resolution to cover anyone addicted to behaviour-altering substances, including alcohol.

It was interesting to note recent comments made by the Attorney General, who said our prisons are too costly and

too crowded and that alternatives to imprisonment must be found for non-violent offenders.

The Attorney General suggested that despite a 30% expansion since the 1980s, Ontario's prison system remains overcrowded because more than 75,000 people were sent to prison last year. More than 87% of them were jailed for municipal and provincial offences like parking, speeding, liquor offences. The Attorney General said more creative ways must be sought to combine preventive measures and to find more effective rehabilitative solutions to minor crime.

I would suggest that one of those creative ways of combining preventive measures with more effective rehabilitative solutions would involve keeping a high-calibre and a low-cost facility like Camp Hillsdale open.

The Correctional Services minister claims that closure of the minimum security Camp Hillsdale is expected to save the province approximately \$1.1 million next year. I would suggest this cost saving is a myth, because in this resolution the member is saying that from \$500,000 to \$1 million is what it costs to rehabilitate an addict. So when we're looking at closing a camp in the country, with 72 beds, which provides food, wouldn't it make an ideal setting for a rehabilitation facility for drug addicts at a minimal cost? In this case, they have relocated the staff. Salaries are approximately \$800,000.

This facility would be excellent for addicts. It was a farm: They raised pigs, they had roasting chickens, they had turkeys, they had eggs, maple syrup, potatoes, onions and cabbage that were produced at this camp and consumed in other facilities such as the Barrie Jail; they supplied food for the Barrie Jail. So with regard to this resolution, I think the ideal spot for a new rehabilitation centre is at this very facility that was closed.

We now have to transport inmates from the Barrie facility to the Monteith Correctional Centre or the Burtch Correctional Centre, and the average cost per diem of housing, feeding and administering an inmate will be considerably higher. In this case, the average cost at Ontario facilities is \$128, while at Camp Hillsdale it was \$80.

As well, it is extremely difficult at this time to provide an accurate balance sheet for the operations of that camp because the revenue generated by the production of the meat and vegetables is transferred directly to the government's general revenue fund and not credited to the minimum security correctional facility.

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We look at all this going on within the Ministry of Correctional Services. Just this week the Attorney General said it costs more than \$800 a week to jail an adult and more than \$1,900 a week, which is nearly \$100,000 a year, to keep a young offender in custody. She said that of the charges Ontario's justice system handles, 10.6% are Criminal Code and drug offences and 2.2% are young offender charges.

A report from the public institutions inspections panel of the county of Simcoe said it "was extremely pleased with (Camp Hillsdale) in general and pleasantly surprised that the provincial government has a productive, self-

sufficient institution, incorporating the inmates as a workforce. We strongly feel that this facility be a model for other minimum security institutions due to its cost-effectiveness, self-sufficiency, assistance to outside charitable organizations, the community at large...."

Surely the Attorney General must agree that this camp should be reopened. When we're looking at this piece of legislation and looking for a place for drug addicts to be rehabilitated, this is an ideal setting.

Having said this, you really have to wonder if this government is ever going to get its priorities in order. I doubt it, because time is running out very quickly for this government.

**Ms Evelyn Gigantes (Ottawa Centre):** This is a motion which raises a lot of questions that people have been reflecting on for some time in our society, and I would like to make just a few comments.

I haven't yet determined how I feel about the notion of associating a drug conviction with the removal of a licence. I think that in many instances we can use the privilege of having a driver's licence to make sure that people follow rules in our society that we think are important.

But what lies behind my concern about using it in this case is our overall approach to dealing with the abuse of drugs in our society, and if I could just reflect on some of the comments that were made by the sponsor of this motion, I'll tell you why I'm concerned about the approach that we take.

For many years now, the use and abuse of drugs has been associated with youth in our society, which I think is mistaken. All of us who are adults know that there are severe problems with the use of drugs, the abuse of drugs, not only by youth but by adults in our society, and in fact we know—we know here in Ontario by research work that has been done here in Ontario—that the major problem is the use and abuse of alcohol.

We also know, and we all know from our youth, that that has been a problem which has affected youth in our society for decades. If we all think back to our high school days, we recollect that alcohol was a major problem among youth that we knew in our high schools. That continues, and it continues to be identified by the people who know what's happening with the use and abuse of substances, illegal substances and legal substances, in our society. It continues to be identified as the major problem of youth and adults in Ontario, and Ontario's not different from the rest of North America.

But we have to at this stage in time start thinking about our ineffectivity, the fact that we have not come to grips with the use and abuse of illegal and legal substances in our society over decades of criminalizing, of providing people with criminal records. All kinds of programs—Nancy Reagan's Just Say No—the whole package of programs that we've used has not been satisfactory. In many instances I think we can point to sturdy research that indicates that the medical model of treatment suggested by the sponsor of this motion is not the best kind of approach.

The sponsor refers to the need for having the involve-



ment of doctors and the medical profession and hospitals in treatment programs. I think what we know from the experience that we've had with programs which have been successful is that they're not primarily delivered through the medical model or by physicians. They're effective when they are primarily delivered in community-based settings, sometimes on an outpatient basis, sometimes in a residential setting for at least a time by people who may not be medical practitioners at all but who have a very strong sense of what drives people to use illegal and legal drugs and substances to the point where they're harming their own lives and the lives of other people.

I want to say another word about the criminalization of our problems with the use of legal and illegal substances. I was very struck a couple of years ago by a report done under the auspices of the Ottawa-Carleton district health council. It was a survey of both the problems and the programs associated with youth substance abuse in Ottawa-Carleton.

If you put together the information in that report, Mr Speaker, which I know would have been of particular interest to you, what you discover is that in the average year in Ottawa-Carleton these days we charge about 4,000 young people with the use of drugs. They go through the justice system and we deal with them as a social problem and so on, and we don't deal very effectively with them, I think.

In the same average year about 2,000 people in Ottawa-Carleton, most of them adult males, are charged with alcohol offences. If we're honest, we've got to say to ourselves there is something wrong in this situation, because we know there is a huge problem with alcohol in Ottawa-Carleton, as there is in every community in this province and in every community in North America, and that alcohol is easily identified as a much more significant problem than heroin use, which is the focus, of course, of the sponsor of this resolution. Yet we are charging twice as many young people with drug offences in the civilized community of Ottawa-Carleton as we are charging mainly adult males with alcohol offences.

We've got this wrong. We've got things upside down. We have criminalized where we should not criminalize. We are not providing the non-medical models of assistance and support that young people need and that older substance abusers need. With that part of the motion I agree, but I don't agree with the direction of the motion, because I think it is a repetition of prescriptions which haven't worked in the past.

I would draw to the attention of members of the Legislature that even a person who works in the field of justice, such as the chief of police for the city of Ottawa, Chief Brian Ford, has suggested very strongly and very thoughtfully, in my view, that where it comes to drug offences that young people are now being charged with for the use of so-called soft drugs, we're really creating more of a problem than we're solving.

I think we need to look at the way we've dealt with the whole problem of the use and abuse of legal and illegal substances in our society. I appreciate the fact that the member has brought this motion forward, because it

gives us some time to think about what we've learned over the last few decades about what works and what doesn't work, but I'd like to see more indication from him that in fact he's willing to take a fresh look at it.

On the question of removal of licences, I still have not made up my mind.

Thank you very much for this opportunity.

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**Mr Ruprecht:** First, let me thank the member for Simcoe East for his remarks. His request, of course, is essentially that we would include the drunk driving amendment in this resolution. Personally, I would have little problem to do that, except of course in this instance it has to do with the treatment of methadone; it has to do with helping people immediately. I know what's going to happen here if we start to make these changes to be encompassing and to expand the inclusion of other items: This bill would never see the light of day.

Anyone who is familiar with the process in this Legislature will know that minute tinkering with any of the bills would have great repercussions in terms of coming to an agreement here. So personally, I would say to the member for Simcoe East, I have no problems. The only problem I would have in this is, how do we come to an agreement? Of course, that would be one of the major problems here.

His second point was, and I quote him, our prisons are full. Our prisons are full of people. Of course they're full, because what we've done in the past and what we've locked ourselves into is a situation where we are punishing anyone who, in some minute detail even, comes in contact with drugs: a carrier, a person who has some substance on him or anything that has to do with even a minor infraction of the law. So the whole enforcement mechanism comes into play and we say to people, "Okay, we're going to punish you totally," and there are very few ways out.

I'm not surprised that our prisons are full because of this very fact of how we treat persons who are found to come in contact with drugs. The emphasis of course should be shifted. The emphasis should be on how we help people and one that's specifically designed to come to grips with the treatment programs. The answer, of course, has to be that we have no time left to fiddle with minor details of various resolutions, simply because of the human suffering and pain that's out there right now.

I've said this earlier in my remarks. If you have a person who is trying to get off drugs, even if he's in prison, federal or provincial, he has a tough time getting the treatment. If we want to move away from punishment, to help, especially those of our citizens who have indicated that they want to get off drugs, they wish to get off this dependency, this necessary, from their perspective, evil, we don't have the institutions nor the necessary will to do this.

That leads me to the remarks from the member for Ottawa Centre. I appreciate what the member is saying and I appreciate her sensitivity to the problem. I want to thank her that she has at least some understanding and obviously some agreement with this particular resolution.

When she says alcohol is a major problem, she will not find any disagreement with me or with any member on this side of the House. We can identify people who have alcohol problems, and there are thousands in the province as well. But what we're asking for specifically is not to befuddle the issue. We have to come to grips now with treatment. So the cry has to be: "Treatment now for drug addicts who want to get off drugs." If you want to include anyone who's got an alcohol problem, of course, you have to expand the treatment centres. There is a need out there as well. But my question is, where is the leadership of this government in the way?

When Ken Black wrote the first report—and I do not wish to be partisan here; it doesn't make any sense. You would certainly agree with me that Ken Black's report was a good first step in coming to grips with the issue, to identify the issue and make the recommendations. There's no doubt about that.

Putting partisan ideas aside, the point is that the recommendation of the Black report was a good one, and what was it? It was to establish a centre of focus, a coordinating committee of all ministries to provide some leadership, and I think that you would have no problem with that. In fact I think you agreed with it. You left it alone for two years when you took over the government.

But what I cannot understand is you're saying here, "Look, we're doing something wrong." Of course we've done something wrong in the past. "We've got this wrong," you say, another quote, and you say the medical model may not be the best, which may also not be a bad idea. But the major question here is, if we've got this wrong, if there is something wrong and if you don't agree with the direction of this motion—and I know you're somewhat sensitive to this item—then what's the answer to this question? The answer obviously has to be to provide some leadership.

How are we going to supply some leadership? We've tried. We didn't come to grips with it in 1990; we took the first baby steps. Then when you came into office in 1990, you would think that the recommendations of the Black report, which had been repeated by the Vision for the 90's report—some of the same recommendations from the Black report are found there and then repeated in a report called Caring For Each Other. Then to dismantle the anti-drug secretariat, which was the recommendation of all three reports, I don't understand this.

Perhaps if you have another chance to speak today you could tell me how this could possibly take this turn, that all reports point to one item as the beginning of a baby step, and that item was to establish the anti-drug secretariat. We did, you left it alone, and after you came out with the same recommendations in 1991 in the report Caring For Each Other, you then set about to destroy the anti-drug secretariat. Mr Speaker, do you understand this? Do any of you understand this? I don't.

Now I don't want to blame any of you, because probably there are few of you who had a direct finger in this decision-making process. I know there have been, and there are right now, a number of cabinet ministers here. I would like to know from any of you: If this decision was made in cabinet, why did you possibly agree

with it, especially when you've come up with the same conclusions we've come to?

The conclusion is, how do we help people with a drug dependency? We're not going to help them by destroying the anti-drug secretariat. So I don't get it. If you get it, please tell me how you're going to do this.

You're saying to me, especially the member for Ottawa Centre—and again, she agrees with some of the recommendations here. But if it is not the direction of this motion she agrees with and if this government says at the same time, since she's been a minister in different portfolios, that we haven't come to grips with this item and we've done something wrong, then obviously if it isn't the establishment of the secretariat, what have you done? Where is your leadership? You've agreed with the recommendations. What have you done? What steps have you taken to help the people out there? All of us who've got families know that many of us are affected by this. People are crying out to us and saying: "Let us open the doors. Get me some treatment."

If you would examine the prison system, looking at both federal and provincial jails, and ask specific questions in terms of what treatment is available even in the prison system, you come up again with the same conclusion.

**Interjection:** There are lots of drugs in the prison system.

**Mr Ruprecht:** There may be lots of drugs in the prison system, as you say, but the member would know that there are very few treatment programs even in the prison system. So it seems if we do not wish to lose a whole generation of people—you think, Mr Speaker, I'm really expanding it now to include a whole generation, but if you would receive phone calls as I have of fathers and mothers saying, "Please help my son; please help my daughter; please do something in terms of treatment," and I have to say to them, "Let me make a phone call." I'll phone five centres and each centre says to me, "I'm sorry, Mr Ruprecht, but our places are full."

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What models do you have now that would help us in terms of getting people off drugs? What do you do next? What is your next step? That is precisely the question we have to ask this government. If you agree with us in terms of losing people on the street, if you agree that our police are inundated with calls, if you agree with the mayor of Toronto that crime is directly connected with drug abuse, if you agree with that, and I think most of you don't disagree with it, then the next question has to be, what steps are you going to take?

You still have a mandate. In case you forgot, you are still the government. So when you get the phone calls, what is your answer to those people who are in direct misery? I almost beg you to look at this question and ask you, how are you able to help? Tell me this: Would this government be opposed to asking the College of Physicians and Surgeons of Ontario to streamline and produce some guidelines that would connect Toronto or this government with Ottawa so that the licences that are being given to doctors can be done quicker? Are you



unwilling to look at those guidelines? Are you unwilling to call the college, which is just across the street, and say, "Can you produce these guidelines so that methadone treatment can be readily available to physicians in Ontario who want it?" I personally know there are a number of physicians who would like to get a methadone treatment licence.

We also know that we cannot suck in all the people of Metro Toronto in one small area of Toronto and say, "There will be treatment available there." Then of course it isn't available. Not only that, but secondly, we cannot centre all the treatment in a community centre in one area of town. When we have 15,000 to 25,000 persons alone on heroin and some of them of course would like to get off heroin, then it would make sense to establish methadone treatment centres, which have been proven to be effective, in other parts of Toronto, in fact in other parts of Ontario.

Look at your cities where you come from. Do you have treatment available? No. If you don't have treatment available in other cities than Toronto, what do you think people do there to maintain their drug habits? And those who want to get off drugs, where do they go? If you do not have centres of treatment available in other centres of Ontario, you are condemning those people to move to Toronto to look for treatment. Of course, since there is no treatment here, we will end up with even more problems, with people on the street, with people in psychiatric institutions, the whole revolving-door policy will come into play and nothing much will get accomplished.

I want to briefly touch on another aspect and that is Mr George Chuvalo, who is now interested to start the George Chuvalo Hope Foundation. He writes a letter to me and he says to me, as mentioned, the foundation which he tries to establish "will initially build a drug rehabilitation centre in Metropolitan Toronto to help our youth." This is a private person trying to raise funds because he sees the great need that's out there for our youth and those who are drug-dependent. He says he wants to create a foundation with private money because of the need. He says:

There are many of our youth who "increasingly, because of lack of work, despair and poverty, are turning more and more to drugs and, resultingly, crime. Our ultimate aim is to build these centres across Ontario, and then Canada, in an effort," George says, "not only to help those in need of rehabilitation, but to educate, lecture and raise awareness of the consequences of the use of illicit drugs."

It's not George Chuvalo who is responsible to come up with a treatment program; it is this government that's responsible to come up with a treatment program. The thousands upon thousands of residents of Ontario, citizens of this country, who are unable to get treatment deserve better from our government.

On this part, in conclusion, I'd like to say and put it at the feet of those who can do something about it, and that is this NDP government: If you agree with this resolution, I salute you, but if you don't agree for some minor variance, then it is incumbent upon you to come forward and develop policy so that many thousands of residents

have the treatment centres that are necessary in Ontario.

**Mr Jim Wilson (Simcoe West):** The private member's resolution before us this morning I think has some positive aspects and has perhaps some things that were overlooked by the member for Parkdale. But I want to say from the beginning that I will be recommending to my colleagues in the PC caucus that we support this resolution on the whole.

There are two aspects to the resolution. One is suspending the driver's licence of anyone convicted of drug trafficking. I think that's good, but I want to make sure that something hasn't changed in this province, and that is, I think drug traffickers should be put in jail and I hope to goodness that prisoners these days aren't driving. Therefore, it may be a little redundant to suspend their driver's licences, because they should be in jail.

But I will note that the member for Parkdale has balanced this resolution by talking about methadone treatment, and I think as Health critic for my party that's something I want to concentrate on.

Also, in speaking about prisoners, I'm not sure today in this province that prisoners and heroin addicts who go to jail are receiving treatment. I think the availability of treatment in our prison system is far below what is clearly needed, both in methadone treatment and indeed in mental health treatment. About 20% of our prisoners, it is estimated, across Canada have severe mental health problems, and they're not receiving the levels of treatment and the frequency of treatment that's required so that when they are finally released they will be able to integrate as productive members of our society.

The second aspect of the resolution deals with methadone treatment. Just so everyone knows exactly what methadone is, it is a narcotic that reduces or eliminates the craving for heroin by minimizing withdrawal symptoms without making patients high. The rationale for its use is to stabilize the addict while lifestyle changes are gradually made. In some cases, there is gradual weaning from methadone use, but for some addicts they may indeed end up on methadone for an indefinite period of time.

I want to give credit to our legislative intern, Mr Greg Moore, who contacted the College of Physicians and Surgeons and the Addiction Research Foundation on my behalf. Some of the pros and cons that came from those organizations and other research are that we have to keep in mind that methadone, while it is an effective treatment and currently the only treatment available in Ontario for heroin addicts, really is a swap of one drug for another, and we should keep in mind that it does not cure the heroin addiction. Buprenorphine and clonidine are two drugs that, while they're not approved in Canada, have been found by American researchers to be better than methadone. Both of these drugs give patients a high, but it's not as much of a high as that with methadone.

The cost of providing methadone to the estimated 13,000 heroin addicts in Ontario is \$7.15 million per year, or \$5,500 per patient per year. That's the estimated cost that this resolution would require the government to put forward in dollars if we truly had a comprehensive methadone treatment program across the province.

I commend the member for Parkdale for a particular aspect of the resolution, because I know a methadone treatment clinic was opened in his riding in 1992 or 1993—and the problem with only having a few treatment centres in the province, one in Parkdale, which is a community that I think at the best of times experiences a bit more difficulty than some of our other communities in the province—and the Addiction Research Foundation I think has space for about 100 addicts. There's a private practice by Dr Shapiro in Metropolitan Toronto, but essentially there are very few places across Metropolitan Toronto, and indeed in the province, where heroin addicts can go for methadone treatment.

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I absolutely sympathize and understand when the member for Parkdale talks about those phone calls and conversations he's had with the parents and loved ones of heroin addicts who are extremely frustrated with the six to eight months to one year that they must wait to get into treatment in this province. That's unacceptable.

Indeed, with only having a few treatment centres in Metro, the danger is that you will be concentrating the heroin addiction and those who are addicted to heroin into a few communities only. That could create other problems, particularly when the waiting lists are long. We know that heroin addicts tend to continue to use heroin until they get into the methadone treatment centre, because it is an addiction.

Therefore, while they're on waiting lists they may be tempted to move to Parkdale; they may be tempted to move to those areas where the treatment centres are located, and common sense would dictate that it is not necessarily all that fair for a few communities to be, I would say, burdened with this aspect of our society. It would be fairer, and I think the resolution sets to challenge the government, to open up more centres spread evenly and accessibly across the province for the people of Ontario.

I think one of the pros of this call for a greater expansion of methadone treatment centres is that we keep in mind that to heroin addicts that habit is a \$400- to \$600-a-day habit, and to finance their drug use some addicts have been known to steal up to \$30,000 a week, which is absolutely horrendous.

If we look at the cost of expanding methadone treatment across the province, \$7.2 million, we should compare that with the cost of imprisonment. Imprisonment works out to about \$50,000 a year for one heroin addict, and if we transpose that against the cost of methadone at \$5,500 for that treatment over a one-year period, surely the cost-effectiveness argument alone would persuade the government to move on the expansion of methadone treatment centres.

I do want to talk about the anti-drug secretariat that the member for Parkdale has concentrated on. I and my colleagues in my party are really not all that interested in the bureaucratic side of all this. I think we've spent a lot of time talking about secretariats and setting them up. What we're interested in, in health care services, is front-line services, so perhaps for the rest of this debate we can back off the administrative side and continue to talk

about what's important, and that's putting scarce health care dollars into front-line services.

I have some other comments with respect to what the College of Physicians and Surgeons had to say about this. I think they're generally supportive. They outlined for us what the criteria and guidelines are for granting licences now. Rather than fixing on treatment licences, though, they did recommend that the resolution concentrate on what they call maintenance licences and that the resolution continue to concentrate on the network of services which restore addicts' sense of self-worth rather than merely satisfying their heroin addiction with methadone treatment, which is a less potent drug.

I commend the member for Parkdale and will be urging my members to support the resolution.

**Mr Tony Martin (Sault Ste Marie):** It is indeed a privilege to get up and speak in the House this morning on this particular issue. It certainly is something that I have had some personal knowledge of in that some of the work I did before I arrived here was in the area of working with troubled youth and developing community approaches to the resolution of such issues as the overconsumption of alcohol and the abuse and use of drugs, both legal and illegal.

I want to commend the member across the way for bringing the subject to the House, to the chamber. It certainly is one that needs to be focused on and addressed in an all-encompassing, significant way. It's good that we focus on that today and get a chance to put some thoughts on the record so that those who are involved in decision-making around this issue will have the benefit of just such thoughts and such notions.

I'm certainly in harmony with the comments and approach of my colleague from Ottawa who spoke earlier and believe that it is a bigger issue than simply a correctional issue or one that belongs in the area of justice or the criminal system. It's a community issue that needs to be addressed in a more holistic, composite way. Certainly as a government we've done some things. However, in a non-partisan way I say we still haven't done enough. There's a lot more to be done. There are programs out there existing today that are very effective, one of them in my own community, that are doing good things for people, a partnership of community groups responding to a community challenge in a way that is creative and exciting but is not funded to the degree that it should be so that it can actually maximize the potential that it has to really make a difference.

As a government, we have moved, I think, significantly in very fundamental ways to a more comprehensive, holistic approach. We did in fact, as the member across who has brought this issue to the table today said, disband the secretariat, but for reasons that I think are certainly bigger and more important than what he has laid on the table so far. Our feeling is that this is a human services challenge that we face, one of how we use the resources that we have in a human service approach to this in a more comprehensive, holistic way.

When we got here, this secretariat was under the umbrella of the Solicitor General, which very clearly placed it in the area of corrections. We see it as a Health



issue, certainly, although we don't agree with the model that the member who has brought this to the table this morning has presented. We see it as a Community and Social Services issue, and we see it as an issue that needs to be grappled with by the community itself, that's above and beyond what we can offer as a provincial government. We have, through leadership particularly by the Ministry of Health with support from Comsoc, brought in all of the major players and made this a core part of what those ministries do, as opposed to a secretariat out there that is given responsibility but oftentimes no authority or resources or even direction to get the job done.

I wanted to focus for a few minutes this morning on what we in Sault Ste Marie and Algoma are doing at the moment. Certainly the Ministry of Health, through the district health council, announced that there was some money available that became available through the repatriation of OHIP funding. The previous government was spending I believe in the area of \$90 million a year to ship our problems to the States, get them fixed and then bring those folks back. That worked in some instances, but in many, many instances it didn't. We are taking that money now and giving it back to communities.

There's been a process ongoing for the last year or so in Algoma and the Sault that saw people from every small community in Algoma, from all the agencies and organizations that have an interest and a concern in this, come together to decide how to spend the money that has been allocated for our area. Indeed, there is now a plan in place. There is an organization identified as the lead agency which will take this forward and make some good things happen for us and for the people of the Sault.

I want to, though, just for a couple of minutes talk a bit about the approach that the Addiction Research Foundation and a group in our community called Breakaway have taken to the resolution of this problem. It certainly isn't one of kicking people in the pants or beating them up or making them feel any worse about themselves than they do in getting into this problem in the first place.

Both Breakaway and the Addiction Research Foundation in our community have very much used a community development approach, have brought all the players together in very creative and exciting ways to respond in, I think, effective ways to the challenge of drug abuse and addiction in our community. Certainly Breakaway, a group of parents and kids themselves who banded together, has provided over the last 10 years for people in Sault Ste Marie and area relief, support and help, basically on the proceeds of car washes and bake sales. This is an organization that, in my mind, deserves to be supported more directly by our government, and if there is criticism to be made, it's that we haven't been able to get to that to this point.

1100

My hope is that, through this discussion perhaps, instead of the approach the member is suggesting, we might put some resources into supporting groups like the Addiction Research Foundation and Breakaway, in my community particularly.

**The Deputy Speaker:** Your time has expired. The member for Parkdale, you have two minutes to reply.

**Mr Ruprecht:** First let me thank the member for Simcoe West for essentially supporting this resolution. Just in passing, I thought he might want to know that while the methadone treatment would cost in the neighbourhood of \$7,500 per person per year—if we would agree on that figure—the saving would be very, very great because the saving would reach into billions of dollars, and I've given those figures before.

I want to thank the member from the Sault for being essentially in agreement with this resolution, although he would like to see some changes take place, which can always be worked out. I have no major problem. Essentially, I thought he said he was in agreement with at least some of the direction of this resolution. He says that we need to address this issue in a holistic way. We don't have any disagreement with that. He says the NDP government sees this from a community and social services perspective. Again he wouldn't find too much disagreement there.

But the issue still remains that there are many people out there who are unable to get treatment, and we've got to do something. The issue of course is, what do we do? That's where we have to have the leadership of the government. We can present resolutions and private members' bills. Anyone who has a smattering of knowledge in terms of the process of this House would know that resolutions and private members' bills do not necessarily get passed although it's a great idea, even with minor amendments or major amendments. It all gets stuck in the House; it all gets stuck in palaver, palaver, palaver. We talk too much about it and we act very little.

The question today is, what shall the actions be of this government? I lay it upon you to come up with some ideas and some resolution so that residents out there in Canada and especially in Toronto and Ontario will get some treatment of methadone.

**The Deputy Speaker:** The time allotted for the first ballot item has expired.

#### ADULT ENTERTAINMENT

Ms Harrington moved private member's notice of motion number 48:

That, in the opinion of this House, since the employment of children under the age of 18 as exotic dancers and strippers is abhorrent to our society; and

Since children abused in this manner may suffer long-term physical and emotional damage; and

Since this practice is widespread across Ontario and Canada; and

Since 1994 is the International Year of the Family and Canada has ratified the United Nations convention on the rights of the child which ensures the rights of children to survival, development and protection; and

Since it is illegal for anyone under 18 to purchase liquor, cigarettes or rent adult videos; and

Since the government of Ontario is doing all that it can to resolve this matter; and

Since there is a need for a unified approach to dealing

with this serious issue to protect communities across Ontario as well as Canada; and

Since section 5 of the Criminal Code of Canada deals with sexual offences, public morals and disorderly conduct,

Therefore, this House calls upon the government of Canada and the Minister of Justice to amend section 5 of the Criminal Code to make it an offence to employ children under the age of 18 as exotic dancers or strippers, or to employ minors to work in establishments which provide sexual services.

**The Deputy Speaker (Mr Gilles E. Morin):** Mrs Harrington has moved private member's notice of motion number 48. Pursuant to standing order 96(c)(i), the member has 10 minutes for her presentation.

**Ms Margaret H. Harrington (Niagara Falls):** We have certainly all heard the horror stories of teenagers lured from stripping to drugs, prostitution and a life without self-worth and without the ability to make choices. We can all identify with the Niagara Falls Review as it aptly put the irony: "Fifteen-Year-Olds Strip in Places Where They Can't Be Served Alcohol."

I want to set this issue in the context of our society. In a healthy society, individuals must have rights, freedoms and responsibilities to others. The ability to make choices in our own lives without coercion is key to a healthy democratic society. In order to do this, one must have a sense of identity, self-worth or self-esteem. So often through our history and even today, young women do not develop this sense of worth and identity and the ability to be independent.

There are still many forces working against women in our society. To underline this need for identity, I quote Elizabeth Wolgast, who is quoted in this book, *Canadian Feminism and the Law*. She says, "Rights work where people are in a position to press for them; for others [rights] give only the caricature of justice."

The years from 14 to 18 are formative years for young women. We must recognize that there are factors in our society besides under-age stripping which subtly or blatantly objectify women and thus hinder their ability to take control of their lives and use their talents and capabilities to the fullest. Under-age stripping may be only one symptom of the deeper problem.

I ask members in this House to look for these forces all around us and think about their effects, not just the obvious, like physical or sexual abuse, but more subtle forces, such as the use of non-gender-neutral language—even today, women in Niagara Falls are running to be aldermen; forces such as pornography, beauty pageants and even advertising, which pressure young women to conform to unrealistic and limiting stereotypes. We must first be aware of this patriarchy before we can attempt to change it.

So I see this particular action to stop stripping by under-age persons as one way, and only one way, of respecting the rights of young women and men to develop from children to whole and healthy persons capable of fully and equally participating in our democratic society.

Why have I brought this resolution forward today? Last summer, Mr Eric Wood came to my office in Niagara Falls to tell me about his 14-year-old daughter, who was working in one of our local bars, and Mr Wood is here today. Thank you very much for coming.

I also credit the Coalition for the Safety of Our Daughters for raising the issue again, and persistently. I believe Ms Valerie Smith is here today, and I thank her for coming.

I thank Elizabeth Witmer, MPP for London North, for raising the issue and drafting her private member's bill, and Dianne Poole, MPP for Eglinton, for her sustained work over the years on behalf of young women and the protection of children.

I thank member of council Kim Craitor for his work with Niagara Falls city council to produce a bylaw to license strippers, and also Tony Ricciuto, from the Niagara Falls Review, for his award-winning six-part article on the issue, and in fact his own personal concern.

In August, I approached the Attorney General's office for what I hoped would be quick action to deal with the situation in Niagara Falls. As it turned out, it was more complex. Officials from five ministries—the Ministry of the Attorney General, the Ministry of Municipal Affairs, the Ministry of Labour, the Ministry of Consumer and Commercial Relations, and the Ministry of Community and Social Services—all looked at this issue together. They reviewed many pieces of legislation in order to find the most workable solution at the provincial level.

We were determined to do something. We needed something that would really work, work legally, not have loopholes, not something just for show or a Band-Aid solution.

Yesterday, in fact, we moved to change the regulations under the Liquor Licence Act to prohibit strippers under the age of 18. But this applies only in licensed establishments, not private parties or other venues. So provincial changes are only part of this solution, and that is why we're here today.

1110

There must be a three-level approach: municipal, provincial and federal. Municipal bylaws are part of the solution. Ed Philip, our Minister of Municipal Affairs, will circulate next week a model bylaw to help municipalities get involved. Now we must turn to the federal level and together, today, demand that federal Justice Minister Allan Rock amend section 5 of the Criminal Code. That is why I am asking everyone here today to vote to support this resolution directed to the federal level.

Justice Minister Rock, in his letter of September 22, 1994, to Valerie Smith cites two sections of the Criminal Code, section 167 and section 173, and he says the following:

"It may be possible, depending on the circumstances of each case, that these sections of the code can be used to address strip dancing by juveniles.

"Furthermore, children who are excluded from the reaches of the criminal law due to their age could certainly be subject to child welfare and mental health



legislation in order to appropriately address their needs and those of the community.

"Provincial laws concerning child labour and liquor licensing might also be resorted to in order to deal with the presence of juveniles in strip bars."

That's his approach, as recently as about a month ago.

Mr Rock, this response is not adequate. We have looked into all of these avenues that you suggest. The labour laws cannot be used. Now we have an imperfect solution with the Liquor Licence Act. We have done all we can at the provincial level. We, as a Legislature representing the electorate of this province and each of our communities, here today call upon the Liberal government of Canada to now do your part and act to change the Criminal Code.

**Ms Dianne Poole (Eglinton):** I'm delighted to stand in my place today in support of Ms Harrington's resolution concerning under-age strippers. This is an issue that crosses party boundaries. It's an issue, I think, which should be of interest to every member of this House.

Some people might say: "What's the big deal? It's only a few girls who are working in a strip joint who may not be of legal age, the age of majority, so what's the big deal?" I think any time we have an issue in this Legislature of exploitation of children—and that's what we're talking about here. We're talking 14- and 15-year-old girls, even 16-year-old girls, and while in some ways they may be approaching adulthood, in many other ways they are still children.

So we're talking about the exploitation of children, and I think that is why there was such a keen interest on the part of all three caucuses to try to do something about this issue.

But I can tell you that I don't think it ever would have received the attention it did or the seriousness of the issue would have been explored as much as it has been if it weren't for the work of two women, Valerie Smith and Pat Herdman, who isn't here today, who belong to the Coalition for the Safety of Our Daughters.

Members may have heard this group mentioned before. It's a group that was founded a couple of years ago by Valerie and Pat. They receive no government funding and they basically have now devoted a significant portion of their lives to trying to protect our daughters. Although the coalition is called the Coalition for the Safety of Our Daughters, I think we're also talking about something that will be very positive for our sons. For all our children, we should say thank you to them for their work.

This issue first came to my attention in August and it was brought to me by my faithful friends in the Coalition for the Safety of Our Daughters. We have daily correspondence. In fact, sometimes I think Valerie's fax machine must overheat and explode from all the work it does. But when she faxed me the information about the under-age strippers, I was absolutely appalled. I could not believe that in the province of Ontario, where we've always prided ourselves on protecting our children, we didn't have a mechanism in place that would protect them. This was in I think early August when I first got the information, the end of the first week in August.

We contacted the Attorney General's office and were told that in fact there was not anything in place to offer special protection and that the best vehicle to really address this would be the Criminal Code. So on August 18 I wrote to Justice Minister Allan Rock to ask him to explore legislative changes in order to protect these young girls, and the obvious solution would be through the Criminal Code.

In fact, there are a number of amendments we've been pressing for to amend the Criminal Code, one of them being the obscenity provision in the Criminal Code which says that if the violence isn't linked with sex, then it isn't considered obscene. Well, to me, extreme brutal violence is obscene and should not have to be linked with graphic sex in order for it to be declared obscene. I'm sorry, that was a little bit of a tangent, something I personally feel strongly about. But the fact is that the Criminal Code will be opened up to address a number of things over time, so it seemed logical that this would be a good mechanism to open it up.

We did have a response from Allan Rock on this in September, which I would mention and I know my colleague from St George-St David is going to discuss as well.

At the same time as I wrote to the federal minister, I also was concerned to see if there was something we could do in a very immediate sense because, as you know, legislation takes a long time to go through, particularly if they were going to open up the Criminal Code for other matters. Then we would be looking at extensive, lengthy, prolonged hearings, and there should be something immediate that could be done. So I contacted our excellent legislative research facilities here in the Legislative Assembly, and one of the lawyers who works with legislative research was extremely helpful to me, Mr Avrum Fenson. He did a research paper on the background and what possible vehicles there could be.

We discussed the fact that it appeared that a simple regulatory change to the Liquor Licence Act would in fact solve a major part of the problem. We discussed whether we had to go that extra step and get a legislative amendment, but we felt the simplest, quickest way to try to protect the girls would be through regulatory change through amending the Liquor Licence Act.

In October I had discussed this with Liberal leader Lyn McLeod. As the mother of four daughters, she is particularly concerned with many of these issues of violence and of exploitation of children. She asked me to help develop the regulation, which again legislative research was very helpful with. We passed it through legislative counsel.

Three weeks ago Lyn McLeod wrote a letter to Marilyn Churley and to the Attorney General, Marion Boyd, and asked them, called on them, challenged them, pleaded with them to act in three different areas. One was in the area of under-age strippers. We provided the government with a copy of a regulation which we thought would do the trick, but we also said very clearly in the letter, "This or any similar one." Quite frankly, I didn't care how we solved the problem as long as we solved the problem, so if the government decided another ministry could do it in a better way, that was fine with me. The

two things we asked for were the regulatory change and also very stringent enforcement procedures so that in fact had teeth.

1120

I'm really quite delighted that yesterday the government did take the initiative and that they announced a three-part program to try to solve this problem. The long-term one is to amend the Criminal Code. I do agree with the government on that and I will certainly be pursuing that and adding my voice to theirs.

The second of course is the regulatory change. I haven't seen the exact wording of it so I don't know if it is similar to what we suggested and, quite frankly, I don't care. If the government lawyers are saying that this will solve the problem, that's the important thing.

The third is to work with the municipalities to correct the bylaws.

I am really very pleased to see the government taking this action, and I will give a lot of the credit for that to Mrs Harrington. She's the member for Niagara Falls—is that right?

*Interjection.*

**Ms Poole:** Good. I'll call you your correct title instead of Mrs Harrington. At the same time as I was working on this, at the same time as Ms Witmer was working on this for the Conservative Party, Mrs Harrington, the member for Niagara Falls—I should learn to use the correct titles—was working within her caucus to promote change. I think that's a very important message for us: that it is a non-partisan effort. We all had different ideas of how to resolve it, but the important thing was, as individual members, we were doing our best to try to correct a problem.

Mrs Witmer asked a question yesterday in the House about the under-age strippers, and I think she was quite offended that the government had not consulted members of the opposition who had been working on this. Perhaps it would have been better on all sides if we had a more cooperative arrangement.

I just want to say that there was one thing I took exception to and that was that she quoted from a section that said she had raised it in the media and everybody else got on the bandwagon. Well, I have a copy of my letter of August 18, which I believe was three days before any publicity on the part of the member for Waterloo North. I say this not to take credit, because I know Mrs Harrington was working at the same time, but just to say we don't need to try to all take credit—well, we can all take credit because everybody had a part in it, but let's not try to make it partisan, because these issues are too important for us to do that.

I commend the actions of the government and I know there are certain people in this Legislature in the opposition who would probably string me up by my toenails for saying that, but every once in a while we have to give you credit: not too often, but every once in a while.

I'd also like to call on the government members to act with your ministers to ensure that the two other areas that Lyn McLeod has challenged action on, that of dealing with the slasher films and amendments to the Ontario

Film Review Board guidelines and also amendments to the Theatres Act, that those come in to try to solve the problem of gratuitous violence in our films and in the material that's reaching our young children and, second, on the serial killer trading cards, which to me are extremely symbolic of the type of violence we're finding—I challenge the government again today to act on those issues.

I would ask the member for Niagara Falls, now that you have had such a success in this area, to take up those two causes and add your voice to trying to get those solved.

**Mrs Elizabeth Witmer (Waterloo North):** I'm very pleased to have this opportunity to support the motion that's been put forward by the member for Niagara Falls. I'd like to congratulate her on making sure that this issue is debated the very first week of our return to Parliament. I know that for her, as for Mrs Poole and myself, this has been an issue of utmost concern and certainly I know we're all committed to working on this issue.

I first became aware of the issue of under-age stripping when I read an article in my own local newspaper, and that was on February 17, 1993. A headline read, "Teen Stripper's Mom Warns Parents." It was a lady in New Hamburg who indicated that she was frustrated by laws that give kids too much freedom and put them in situations where they can be exploited. The article says:

"The Child and Family Services Act allows a child to decide at age 12 where he or she wants to live, and a 16-year-old who doesn't want to live at home is eligible for student welfare.

"They (laws) seem to have gone from giving parents full control over their children to giving them none."

In the same article there is a quote by Sergeant Dan Colquhoun of the Waterloo regional police, who says:

"Strip clubs employing 16- and 17-year-olds as dancers pose serious problems, but it isn't illegal.

"You can't blame everything that's wrong with kids today on them. It's as much the fault of the system."

Then we hear from the London police, detective Lory Moro, because the mother of this 17-year-old girl who had turned to stripping consulted with him and he says:

"There's nothing in law to stop a father from taking his 12-year-old son into a strip club to watch his 16-year-old daughter strip.

"Stripping, prostitution, drugs and pornography are all interconnected and controlled by organized crime."

We go back to the mother, and she keeps asking the question why nothing can be done. That's the issue that is of so much concern, because I think what was discovered when the issue surfaced on February 17, 1993, when the issue was brought to our attention again by Tony Ricciuto of the Niagara Falls Review, was that indeed in this province girls as young as 14 and 15 were being hired to act as strippers and there was absolutely no provincial or federal legislation that would prohibit that from happening.

I guess because of my own concern for young people—I've seen what's happened to young people, I



was a secondary school teacher, I was a trustee on a school board and of course I am a mother—this is an issue that concerns me greatly. I decided on August 23, since it didn't appear that the government was taking any action, that obviously in my role as an opposition member I needed to make sure that the public was aware of the issue. I could assist the government in this way by bringing it to the public's attention and hopefully, as a result of the interest and concern of the public, the government would be placed in a position where it could assist Ms Harrington in putting forward some legislation to deal with the issue.

I wrote to Marion Boyd on August 23 and I asked her to introduce legislation immediately to prohibit young girls from working as strippers. I told her I was concerned that there was no legislation in place, and I think I need to mention that at one time the Juvenile Delinquents Act did have a section making it an offence to contribute to the delinquency of a minor. However, of course, that was revamped into the Young Offenders Act in 1984 and that section was removed and nothing adequate replaced it.

Also, at the provincial level at one time, children under the legal drinking age could not work in a licensed establishment. Again, that provision was removed and nothing else put in its place. Unfortunately, legislators at all levels have been negligent in addressing the issues that we have brought before them.

I said in my letter to the Attorney General that I felt the situation had become even more serious in recent years and recent months because there had been the court decision which ruled that strippers could now engage in lap dancing and other specific sexual acts with their customers.

I think, if you listen to people who have at first hand experienced what does go on regarding lap dancing, it's the next thing to prostitution. It's simply not done in that context, and personally I am appalled that 14- and 15-year-old girls would be so vulnerable and would be exploited in this way.

I indicated to Mrs Boyd that I wished her to take action because I did not wish for our young children to continue to be exploited in this manner. I think we recognize the vulnerability of children, particularly of girls at that age. Oftentimes their self-esteem is not what it should be, so they're also making decisions where they really don't have knowledge of all that can be involved. They're not giving informed consent, and what happens is that they are young girls who are often lured by the promise of easy money—\$1,500 a week. It seem like a glamorous life.

1130

I told her that this exploitation must stop and that I believe that a provincial law could effectively deal with the situation, recognizing of course that action needed to be taken as well by the federal government. However, we can't force the federal government to take action. We can only do what needs to be done within this House.

The interesting phenomenon that I discovered as well is that we didn't seem to be so concerned about under-

age stripping but at the same time we have legislation in this province that prohibits people from smoking under the age of 19; they can't buy lottery tickets under the age of 18; they can't perform in pornographic movies under the age of 18. Somehow we have been very negligent because we have allowed girls to be engaged in that particular occupation.

The government did bring in some legislation yesterday.

I just want to briefly say that stripping is demoralizing, and it has been pointed out again in this recent article that, as the member for Eglinton has indicated, the Coalition for the Safety of Our Daughters, Pat Herdman and Valerie Smith, I think, have been keeping all of us well informed on the issue.

This was an article I just received from the Barrie Advance, indicating that there is a former stripper there who earned her living for 18 months, but after being sexually assaulted twice, feeling degraded and getting a sense of alienation by society, she has now quit. She says, "Stripping is very damaging to girls," and goes on to say, "Pornography contributes to sex crimes," and of course she says, "Strip bars are very much a part of it."

I guess that's something that I need to point out. When this was raised to the level of public attention after my open letter to Marion Boyd on August 23, I was amazed at the response I received. I heard not only from mothers and fathers whose children, girls, had left home and become involved in stripping. They realized that their hands were tied and that the hands of the police were tied. There was no way they could prohibit this from happening. They were very concerned about the safety of their daughters.

I also heard from people who actually own these establishments, who again were asking for legislation to prevent people from stripping if they were under age. I heard from booking agents who were looking for some sort of a licensing system. I heard from police officers. I heard from under-age strippers and I heard from strippers who were just a little bit older.

It appeared that everybody across this province was aware that there was a problem—no part is exempt—and people were looking for very decisive action from this government. Yesterday the government did bring in some legislation dealing with this issue, and I guess I see the effort yesterday as the first part of what needs to be done. Unfortunately, as the member for Niagara Falls has pointed out, this covers only licensed establishments. It doesn't cover the private parties, the stag parties etc, and so girls will still be able to be employed in that particular area.

The other concern I raised yesterday is with the enforcement. I was very disappointed to learn yesterday that the Minister of Consumer and Commercial Relations had no answer as to how this new regulation would be enforced. Are we going to hire new liquor licence inspectors to make sure the liquor licence regulations are not being breached, and what type of new power are we going to give these individuals to do the job effectively?

The minister actually indicated, on October 19 in the

Toronto Star: "The Liquor Licence Act generally does not deal with entertainment standards and it would be opening a door to that," she said. "Generally it regulates the sale of alcohol."

So I guess we have a regulation, it looks good on paper, it indicates the concern of the government, but I'm very concerned that it could be no more than window dressing if there are not some very effective enforcement measures put in place. I would encourage the government to go ahead and demonstrate to us how serious they are and indeed put in place for us an enforcement mechanism that does work.

I'm also very concerned because, as the member for Niagara Falls has indicated, Mr Rock, in his response to the letter from Valerie Smith, indicated that there were possibilities of action, but he certainly didn't indicate that he was going to take any action. I think it's incumbent upon all of us in this House to make sure that we do encourage the federal government to take some action, because the provincial government cannot do it alone. That's my only concern about the resolution. We're calling upon them to give us help. We can't force them to become involved in the issue, but I'll tell you, we need to put pressure on them, because children under the age of 18, particularly girls, are being exploited in this province at the present time.

However, during the entire time period that all this activity has been taking place—the media coverage, the work by members in all parties—I had taken a look at how we could introduce legislation and we'd taken a look at the regulation, similar to what was introduced, but we recognized that perhaps it could not be enforced by the liquor licence inspectors and we were also concerned that that type of regulation did not cover private parties.

So yesterday I introduced a private member's bill entitled the Adult Entertainment Licensing Act, 1994, and what this legislation in essence does is that it will require those individuals who perform as strippers, or anyone who employs strippers, or anyone who arranges for strippers to be employed at private parties, to obtain a licence. This licence could not be obtained unless you were able to provide the appropriate pieces of identification and photo ID, and it would not be available to anyone under the age of 18.

Moreover, I'm concerned about enforcement. It's fine to have rules and regulations, and we find out now that these after-hours clubs are illegal to begin with. We have a law; they shouldn't be there, but nobody's enforcing the law. In my private member's bill, we do confer powers of search without warrant on police officers who believe on reasonable grounds that a person does not hold the required licence.

I believe that is important, because obviously action needs to happen immediately, and that's why I'm concerned about the liquor licence inspector doing the work of enforcement. Let's face it, these girls do move around, and if you suspect one day that something's happening that shouldn't, by the time the inspector arrives the next day obviously the individual has long disappeared.

We believe that this piece of legislation would supplement and enhance what is being suggested by the govern-

ment. Certainly it would support what is being done here today by the member for Niagara Falls, because, I'll tell you, if we don't all band together, this type of behaviour will continue, these females will continue to be degraded, and certainly many of them end up with emotional problems and physical problems as well. But we will support the bill before us today.

1140

**Mr Tim Murphy (St George-St David):** I would like to thank the member for Halton North for the opportunity to speak. I do want to speak in favour of the resolution and to note the degree of solidarity among all parties on this issue. I think it's a sign of what can happen positively when we work together in this House. The member for Eglinton, the member for Niagara Falls, who has introduced the resolution today, the member for Waterloo North and my leader, Lyn McLeod, have all called for efforts in this regard as a result of this coming to public light in recent times, and we now have some action from the government on this issue.

I did want to talk a bit about a couple of concerns I have. I represent a downtown Toronto riding and I see some of the people who end up working, unfortunately, in the stripping clubs, who are also out on the streets, who can often be addicted to drugs, who often can be involved in some of the unfortunate activities that are involved in living on the street. I think anything we can do in addition to a penal sanction that gets them out of these kinds of institutions but that can also help them get off the streets, get off drugs, get into a productive life, would be a helpful thing.

There are other things we can do in addition in the province. I know there has been a move in the last few days by the government to deal with this under the Liquor Licence Act, but I think there may be a possibility as well to look at child labour legislation and whether there may be a possibility of enforcement in that regard.

My concern, related to a Criminal Code route as what we rely on solely, comes in two perspectives. That's not to say it's inappropriate to pursue it, but I don't think we can rely on it.

I was listening to the member for Waterloo North in recommending her approach for a power for search without warrant. My problem with that is simply resources. Police, for example, in my community no longer even respond to theft calls. There needs to be violence associated with a theft, therefore a robbery, before they're called. They're 795 officers short. I just don't think we'll get an enforcement. They have too many things to do to be actively involved in policing that kind of activity. So it may end up that we have the law on the books without enforcement.

In addition, my concern relates to the standard we might set in a Criminal Code context, because then it has to be beyond a reasonable doubt. I suspect any federal law would require the owner of the premises to knowingly hire someone under 18. So someone coming with a false ID would result in the owner of the premises being acquitted, whereas if we went through a liquor licence, which the government is doing, or a child labour process, we can do it on what's called a balance of



probabilities. The mere fact of employment could be sufficient to put the licence in trouble or to get them in trouble with an employment standards officer. So there are I think other things we can do provincially.

Finally, in the last few seconds I have left, I know there are provisions in the Criminal Code already that we could look at. Maybe the Attorney General could do that. Section 167 of the code might provide an opportunity for prosecution. I think we could argue that it would be more obscene for a young person to be a stripper than an older person.

**The Deputy Speaker:** The time has expired. Thank you.

**Mr Murphy:** I thank you for the opportunity. I look forward to supporting the resolution.

**Mr Noel Duignan (Halton North):** I'm very pleased to rise in support of my colleague from Niagara South's resolution this morning dealing with the issue of under-age strippers in some of the strip bars, and indeed very pleased to see it has developed into a non-partisan issue among all parties. I'm also very pleased to say that our government has responded to some of the concerns raised by some of the members opposite, indeed to the concerns raised by the Coalition for the Safety of Our Daughters. I know Valerie Smith is here in the gallery today. I'm very pleased she is here. I'm very pleased about the kind words she wrote in a letter to the minister dated yesterday as well.

As you know, our minister announced what we believe is a comprehensive approach to begin to deal with this problem of under-age strippers in licensed establishments. There are three approaches we are taking on this particular issue. For example, the first issue is that the Minister of Consumer and Commercial Relations has developed a regulation under the Liquor Licence Act that will basically prohibit strippers under the age of 18 from performing in licensed establishments. That's done under paragraph 62(1)4 of the particular act. It will be a condition of the licence of that establishment which sells liquor and serves liquor that it will not include exotic dancing by persons under the age of 18.

Also, the Minister of Municipal Affairs will be working with the municipalities to encourage them to respond to local issues by using their bylaw authority. I believe and our ministry believes it's one of the most effective ways of doing it. Basically, under the Municipal Act, for example, section 225 of the Municipal Act does give municipalities permission to regulate adult entertainment parlours, including the power to prohibit entry by a person under 18 in these premises.

Several municipalities have a bylaw like that right now, I believe some five municipalities, including the city of Toronto, the city of St Catharines, the city of Hamilton, the city of Windsor, and the city of Oshawa. But more or less they just regulate where these premises should be, except for the city of Windsor, which actually says that persons under 18 can't perform in entertainment parlours. The city of Windsor actually is the only municipality in the province that does that.

The Ministry of Municipal Affairs will be working

with the municipalities to develop, and we will be developing, a model bylaw to help the municipalities to deal with that issue.

The other approach that we're taking as well is encouraging the federal government to amend its Criminal Code to prohibit under-age strippers operating as well. We believe this is another effective way, and also maybe while they're at it they can deal with the whole question of sexual violence and looking at amending the Criminal Code to deal with the whole question of slasher films and those violent cards as well. We believe that's the correct approach to take.

I'm very encouraged, again, to recognize that in fact this is basically a non-partisan issue and all parties have got together to try and solve this problem. I'm encouraged by that. I believe the route that we've chosen as a government demonstrates this government's commitment to act swiftly to protect young women from sexual exploitation. We're also going to attempt to institute broad standards across this province and hopefully we will encourage the federal government to do the same, not only in this province, to adopt a broad standard across Canada.

**Mrs Karen Haslam (Perth):** It was very interesting to hear the member for Eglinton and the member for Waterloo North and the member for Niagara Falls talk about their involvement in this issue from August and how involved they had been over this issue.

I must tell you that when Mrs Harrington's legislative assistant came to me and said, "We'd like you to consider debating this issue," I said to her: "Well, you know, I really haven't looked into it in great detail. I've been doing other things in my riding. I'm on committees for long-term care. I'm looking at other things and I'm not sure I could talk for a great deal of time or have the research behind me." Then I spent 20 minutes in the hall talking to her about how I felt about this issue. She looked at me with a smile and said, "It seems to me, Karen, you do have a lot to say about this issue," and so I kind of smiled and said, "You know, you're right."

So I'd like to look at it from a different way. Similar to other people in the Legislature, I come from a teaching profession. I served as a trustee on the board of education. I came from the guiding and scouting movement, dealing with young people, PTA, and helping in the schools. But I think the one thing that gives me the most angst over this type of situation, as a mother of a young woman now, and my daughter's now 21, but as a mother of a teenage girl and raising her, is to know how difficult that is for parents.

It's not easy as a parent to raise a teenager. It's very difficult. No matter what kind of a background we come from, no matter how our family is organized, no matter whether it's a professional or a working background, no matter whether it's a single- or a two-parent home, it doesn't matter whether you make \$100,000 or you make \$20,000, it doesn't matter because it's still a difficult job, and there are problems in all families in raising teenagers. That's because they are going through a very difficult time at 14 and 15 and 16 and, yes, 17. It's a time when they want to have a sense of worth, when they're build-

ing their own self-identity, when they are trying to say, "Don't help me any more, I want to do this on my own," and yet they still look over their shoulder to be sure you're there to help them through some of those difficult times.

1150

There's peer pressures, there's changes in their body, there's changes in their emotions, and they do need guidance. I firmly believe my 21-year-old needs guidance. I still call my mom, who still tells me what to do sometimes and gives me the benefit of her experience, and I think that's important.

These people are dealing with so many pressures out there and there are people ready to prey on them in our world today. That money looks really good. If there are problems at home and they decide they want to leave the family home for whatever reason and they go out into the street, they find it's not easy out there, and that money being offered to them to do that stripping looks very good to them. It's something that they have in their pocket and they can live on their own and do their own thing and there are enough people telling them: "This isn't really bad. It's no big deal."

**Mr Norm Jamison (Norfolk):** Those people are vultures.

**Mrs Haslam:** That's right. There are people out there who will prey on these young people, who will exploit these young people, who will abuse that relationship with these young people.

So I really want to commend all of the members who spoke today, and in particular the member for Niagara Falls, Mrs Harrington, for taking this issue forward, for being diligent in what she has been trying to do, for visiting and working with members of the opposition party, for banging on the doors of our own ministries and saying, "What can we do together to try to solve this situation?"

I agree with her. I looked at some of the constitutional law issues around it, and if you take a look at the Criminal Code—awfully dry reading—in all of that you'd think there would be something we could do for these young people, and there isn't. The best we can do is say it's a complex issue, we're going to do our best to try to solve it at a provincial level, but at least we're looking at working together with other levels of government.

So I commend Mrs Harrington for bringing forward this resolution. This isn't an act. This isn't a bill. It's merely her way of saying to us and to other levels of government—it's a resolution. We're asking the federal government to get involved.

We have opposition members involved, we have government members involved, both sexes, both sides of the House. We have the minister who has come forward with the best she can do at this time looking at liquor licences. We have another private member's bill trying that avenue to look at this issue. It's only through that type of cooperation that we're going to be able to help these young women, because they really need somebody out there to protect them. Sometimes we need to remember that government has to get involved to help these

vulnerable people, to help these young people.

So I of course will be supporting this resolution, and I am so pleased to see so many other people are going to support it also.

**Mr Mike Cooper (Kitchener-Wilmot):** I'm pleased to join in the debate this morning and I commend and support the member for Niagara Falls for bringing this issue forward.

I first became involved back in 1993. The member for Waterloo North spoke about the newspaper article that was published in February. It was from my riding. A constituent phoned me and was really distraught about her daughter who had gone to London and had started performing in one of the bars there. It seems like there was a bit of a hassle there, so she had moved out and gone down to the Niagara Peninsula and started performing.

I did contact this woman and I contacted the minister, and at that time we got a fairly simplistic answer, which was, "Let the municipalities deal with it because they're the ones who license the establishments."

In contacting the police officer who was involved in the whole situation, I found out that there was basically no law to cover these young children. So I started working with the minister and I started working with the member for Waterloo North and we kept each other informed of what we were doing, and I commend her for bringing forward a bill which will try to address this problem in a different way. Right now it seems like we've got everybody working together because we realize there is a major problem out there.

I know now that I'm with the Ministry of Labour I've been getting some letters from some of the exotic dancers who have been complaining about the conditions that they have to work under, especially with the advent of lap dancing now. I know a lot of people that run the establishments are credible businessmen, and I've met a few of them who came to the Ontario Restaurant Association when it was lobbying the provincial government on video lottery terminals, and they talked about how they protected their dancers. Basically, there's no touching.

What some of the dancers told me in their letters and in contact with them is that while there is no touching involved in these establishments, a lot of times they're in the position where a client, because of alcohol consumption, will start touching them. There's a great fear among them that they could catch a disease or they could actually get molested. So while they're saying no and the establishment is saying no, there are a lot of customers that are taking advantage of these dancers because of the situation they're in.

While you can understand that certain adults make the decision that they want to become an exotic dancer—and some of them are quite legitimate; they say they can make \$500 a day. If they're looking at tuition fees and they're trying to find a way of getting themselves through college or university, they say, "Well, this is something I could do for two or three years and get myself through college." So quite legitimately they're in the business. But the point is, should our children, anybody under 18,



be exposed to this? We're all saying no. I think we've got all-party agreement here that we're saying, "No, this isn't really the way to go."

I was really getting frustrated after a year and a half when I didn't see anything happening, so I'm glad to see that something is happening right now. I understand, with the notes, we've got the Attorney General involved, we've got the Ministry of Municipal Affairs involved, the Ministry of Labour is involved and the Ministry of Consumer and Commercial Relations, and now we're going and trying to approach the federal government to get it involved too so we can actually get something done.

I know some people have said to the Ministry of Labour that it could find a rule. Well, this comes under the regulations of the Occupational Health and Safety Act, which provides that a minimum age of a worker in a workplace other than a factory is 14 years. A person who is working as a stripper in a bar would only be in violation of this provision if he or she was under the age of 14. I know they've talked about making regulation changes under the act, but then you would question whether it would be legally valid under the act. So there's a problem we've had to deal with, and that's something we've all had to wrestle with.

I know myself I've got a 13-year-old daughter, and I wouldn't want her to end up in this. We know the financial constraints that the children's aid societies are under right now, and with their limits they're actually having trouble taking people out of really dangerous situations. So to take somebody out of a situation where they're out dancing on their own, unless they're saying there's a major problem, we can't do it through the children's aid society. So it's great that we're getting a three-pronged approach through the ministry and we have all parties here working. Finally we'll get some results, I believe.

**The Deputy Speaker:** The member for Niagara Falls, you have two minutes to reply.

**Ms Harrington:** I have to once again thank Ms Poole and Ms Witmer for their involvement in this issue, because very often, even on the government side, things seem to be very slow and frustrating and we have to have that kind of pressure, and sometimes the opposition can help us with that pressure to make things happen. I usually think things are very straightforward and I want an immediate solution—I know my staff know about this—and I'd like things to be done quickly. But in some cases one has to go through the various channels and make sure it is done right. This is what we have done in this case. Now we have to carry it forward.

I want to mention Tony Ricciuto from the Niagara Falls Review because he had asked me publicly last September if I would go to a strip club with him to see if I believed that this was actually happening. I said I would, but that's cheap publicity. I know I could make good press that way, but I am determined not to go until something has happened here within this government.

To the points that were raised by the opposition: first of all, that this must be enforced by our liquor licence inspectors—

*Interjection.*

**Ms Harrington:** —yes, obviously that is the case. We are putting another burden on them, and we must ensure that yes, that job is in fact done. I would ask our ministries to look at the suggestions that have been brought forward by the member for Waterloo North, and from the member for St George-St David, who indicated different suggestions as well.

The city of Niagara Falls has been struggling with this issue. First of all, last week, it says here, "Teen worked as stripper, police find." They had to investigate to see whether it was the case that this young woman was under age, and the police have said, "Yes, this is true." Now that we have established that fact, city council, as this headline indicates, is now trying to pull the licence of that particular bar. So things are moving.

I want to just conclude by saying, under-age stripping is, I believe, only one symptom of an underlying problem and that is that we do in many cases limit and stereotype our young women, and I ask members to look at that issue also.

**The Deputy Speaker:** The time provided for private members' public business has expired.

#### DRUG DEPENDENCY

**The Deputy Speaker (Mr Gilles E. Morin):** We will deal first with ballot item number 67, standing in the name of Mr Ruprecht. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Ruprecht has moved private member's notice of motion number 50. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

#### ADULT ENTERTAINMENT

**The Deputy Speaker (Mr Gilles E. Morin):** We will now deal with ballot item number 68, standing in the name of Ms Harrington. If any members are opposed to a vote on this ballot item, will they please rise.

Mrs Harrington has moved private member's notice of motion number 48. Is it the pleasure of the House that the motion carry? I declare the motion carried.

All matters relating to private members' public business having been completed, I do now leave the chair. The House will resume at 1:30 of the clock this afternoon.

*The House recessed from 1202 to 1330.*

#### MEMBERS' STATEMENTS

##### METROPOLITAN TORONTO POLICE CHIEF

**Mr Tim Murphy (St George-St David):** I rise today to extend the congratulations of my leader, Lyn McLeod, the Liberal Party and myself, the Solicitor General critic, to the chief of the Metropolitan Toronto Police Force, David Boothby.

I've had a chance to meet with the chief designate, Deputy Chief Boothby, and to work with him, and I know he will be a great addition as chief of the Metro-

politan Toronto Police Force. He is a strong believer in community policing and he is a great leader, well respected as the head of detective command currently.

I've had an opportunity to overlap with him to a certain degree in things I've done with the police in my riding, the community witness program and the active foot patrol, which has been very effective and very well liked in the community, and I know that chief-designate Boothby is a strong supporter of this.

He is, of course, a 27-year veteran of the force, lives in Metropolitan Toronto, is married and in fact has two children who are also active in the police force. So he has a personal history of dedication to quality policing in this city, which I think is much to be credited.

He obviously becomes chief in a difficult environment, but I think it bodes very well for his term as chief that he managed to be the consensus choice of a group as diverse as the current police services board. So our congratulations to him.

#### ALTERNATIVE FUELS

**Mr Noble Villeneuve (S-D-G & East Grenville):** I have supported the wider use of domestic production of fuel ethanol for some 10 years. I view the recent flip-flop of the Liberal Party with some amusement and a bit of suspicion.

I can remember when, in early 1989, the Peterson cabinet, without announcements, enacted regulations to the Gasoline Handling Act to effectively prevent the use of fuel ethanol in this province. It was only after our party and our Environment critic at the time, the member for Mississauga South, raised the issue in the Legislature that the Liberals were forced to retreat on the issue.

I remember pointing out in 1989 to the Minister of the Environment at that time that the use of oxygenated fuels such as ethanol would improve air quality in large urban areas. The response by the minister at the time, the member for St Catharines, made it clear that the Liberals had no intention of acting seriously.

I can remember that in the spring of 1990, when I wrote to the Minister of Energy to argue that fuel ethanol could provide environmental benefits compatible with the Liberal government's global warming position, Lyn McLeod then wrote back to me, stating that neither she nor the Liberal government considered ethanol to be viable as an important component of Ontario gasoline.

I can remember that in 1989 the member for Algoma, in his critic's role, asked the current leader of the Liberal Party when she would begin supporting an ethanol initiative. There was no commitment then and, in spite of the flip-flop, I believe there is no commitment now.

#### MARDI COLLINS

**Mr Ron Hansen (Lincoln):** I rise to pay tribute to a woman who has devoted the last 22 years of her life to serving the people of Pelham. Mayor Mardi Collins is retiring from politics after six years as mayor and 16 as public school board trustee, and she will be missed.

I'll always remember Mardi for her straight-shooting, folksy style of politics. I certainly know her well; I'm one of her constituents. If I ever wanted an answer from Mardi on any question or concern, she'd give it to me

right away, even if it wasn't what I was hoping for.

Mardi had no qualms about telling people to start taking some responsibility for their lives, and she didn't mince her words getting the message across. Just last month she told a particularly troublesome constituent to "go get a life." This person had been bothering the mayor for years about the same issue.

Most of all, the people of Pelham will remember Mardi as a mayor who got things done. Since taking the helm after a landslide victory in 1988, Mardi Collins has updated the town's archaic procedural bylaw, restructured council's committee system, streamlined municipal operations, developed personal policy manuals for all staff, launched the first employee performance evaluations and put to rest the costly idea of building a new town hall by launching a three-year project to renovate the existing building. She also deserves praise for balancing the town's budget for three years running, all without raising taxes.

I personally admire Mardi's ability to run the town like a business, one that offers excellent, efficient service at a fair and reasonable price. I would like to congratulate Mardi Collins on a job well done and wish her the best of luck in her future endeavours.

#### COURT RULING

**Ms Dianne Poole (Eglinton):** On October 1, a decision by the Supreme Court of Canada sent shock waves across the country. For the first time, extreme drunkenness could be used as a defence against rape. I think Liberal leader Lyn McLeod best expressed the outrage we all felt when she said, "There is no defence for rape, and there's no defence for this decision."

The tragic implications of this ruling are already being felt. Only one month after the Supreme Court landmark decision, it has already been used as a precedent in another case. A judge in Alberta has cited the Supreme Court judgement as the basis for his ruling on a wife assault charge. He ruled that because the accused had been extremely drunk he was not responsible for the attack, and a very serious charge was thrown out.

Lyn McLeod has written to federal Justice minister Allan Rock to voice the need for urgent and strong action. We have offered Mr Rock our complete support for his decision to launch an immediate review of the Supreme Court's disturbing ruling. We have urged the minister to move forward as quickly as possible to complete it and to take any actions necessary.

There aren't many issues in this House that transcend partisan politics, but this is one of them. We must all raise our voices to ensure that women in this country are not subjected to the final travesty: to see their accused get off scot-free because drunkenness became more acceptable than responsibility.

#### JOB SECURITY

**Mr Allan K. McLean (Simcoe East):** My statement is for the Premier and his Minister of Economic Development and Trade. Premier, the conflicting signals you and your ministers are sending to the people of Ontario reinforce the perception that the lights are on in your government offices but nobody's home.



When asked if potential purchasers of rail lines Canadian National wants to abandon could get exemptions from part of your draconian labour laws, the Minister of Economic Development and Trade told a meeting of the Simcoe County Rail Retention Committee that her government had no intention of giving any legislative relief because she doesn't believe it's necessary. The minister's statement was confirmed by Simcoe county warden Bob Drury and the Simcoe North MP, who attended that meeting.

At about the same time the minister was telling the committee that her government is not going to change the legislation which would require the transfer of all collective agreements if CN were to sell its rolling stock and rail lines, the Premier was telling an Orillia daily newspaper something completely different.

Premier, you said nothing had been ruled out. You said you are determined to find a solution and that you will find a solution.

You said, "I've asked the minister to talk to people and make sure that whatever we do is practical, to make sure we're protecting jobs and providing the flexibility we need in the face of these federal cutbacks."

Premier, judging by your minister's response, I expect you have not bothered to talk to her about this extremely important issue, or perhaps she's just not listening to you.

#### TRIBUTES

**Mr Gordon Mills (Durham East):** Two weeks ago tonight, just before 7:30 pm, two men wearing balaclavas burst into the Bank of Montreal in the Port Perry Plaza in my riding, armed with a handgun and a high-powered automatic rifle. The bank manager, Mr Alan Knight, was shot in the leg and the robbers left the bank with a sack of money.

Outside the bank, Durham Regional Police constables Warren Ellis and Mark McConkey and detective Paul Mooy were all shot in a burst of gunfire that also went through a window across the street, injuring realtor Debra-Ann Taylor.

The robbers escaped, holding 74-year-old Marjorie Pearce hostage for a short time before forcing her husband, Harry, to drive them to the Memorial Hospital, where they took another car to escape. By the middle of the next morning, Friday, two suspects had been arrested in Kingston.

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This brutal armed robbery has boldly highlighted the outstandingly good qualities of many of the people who live and serve in the community of Port Perry.

Today I want to ask this House and those listening to recognize and to pay tribute to the outstanding work of the Durham regional police; the professionalism of the ambulance and hospital staff in Port Perry; the assistance of the taxi driver, Archie Ewing Jr, who drove injured Constable McConkey to the hospital; the concern and cooperation of witnesses such as Fred Canning and Gail and Hank Verwoerd.

Finally, I want to commend the willingness of hundreds of local residents who provided information to the investigators that led to the prompt arrest of the suspects.

#### RAE DAYS

**Mr Steven Offer (Mississauga North):** As Environment critic for the Liberal Party, I was intrigued by the story Thomas Walkom tells in his new book about the NDP government's abysmal failure to deal with the garbage crisis in the greater Toronto area.

You will recall, Mr Speaker, that the Interim Waste Authority is the brainchild of the former Minister of the Environment, Ruth Grier, and, as the book describes, is a major reason Ruth is no longer Minister of the Environment.

It seems that Bob Rae knew the political and environmental ramifications of Grier's actions, and a cabinet shuffle would provide the perfect opportunity to reverse her foolhardy decisions. All Rae had to do was get Grier out of the way.

Apparently, when Ruth Grier was informed that the Premier was deposing her as Minister of the Environment, she burst into tears and made the Premier promise not to ship Toronto's garbage to Kirkland Lake and not to dismantle the IWA.

What's a Premier to do? The only reason for the move in the first place was to reverse Grier's politically unsaleable policy. On the other hand, Ruth Grier, who has supported him through thick and thin, was in tears.

Later the same day, Bud Wildman, the new Minister of Environment and Energy, popped in on the Premier at his house to discuss the best way to undo Grier's damage.

Wildman started by telling the Premier how happy he was that the government would now be able to send Toronto's garbage to Kirkland Lake and dismantle that money pit, the Interim Waste Authority. The Premier looked embarrassed and informed Wildman that the plan had changed. The albatross was now around Wildman's neck. Ontarians were stuck with Grier's idiotic plan. Taxpayers, farmers and land owners across the greater Toronto area are now the ones left crying.

**The Speaker (Hon David Warner):** The member's time has expired. The honourable member for Dufferin-Peel.

#### Interjections.

**The Speaker:** Order. Restart the clock, please.

#### TORONTO ISLANDS COMMUNITY

**Mr David Tilson (Dufferin-Peel):** I would like to update the Minister of Environment and Energy and members of this House about how his Environmental Commissioner has assisted myself and my colleague the member for Mississauga South with our request to review the proposed development on the Toronto Islands by the Flying Toad co-op. As you will remember, these 100 units would involve destroying significant wet meadows, dunes and an eastern cottonwood woodland. The Flying Toad development would destroy the last remaining shoreline habitat remaining on the western side of Lake Ontario.

The Federation of Ontario Naturalists has told me that these natural areas have been recognized by various levels of government. The Metropolitan Toronto and Region Conservation Authority has designated these lands

as an environmentally significant area. The Ontario Ministry of Natural Resources has identified these same lands as regionally significant areas of natural and scientific interest. The Crombie commission has recommended their full protection.

We have written the recently appointed Environmental Commissioner to formally ask that she look into the Flying Toad co-op proposal and do everything in her power to stop any development on these lands. The Environmental Commissioner wrote us back this past August, saying that she would be unable to look at our request until 1998.

Tell me: What use is that when the building will be up, the people moved in and the wetlands destroyed? Your Environmental Commissioner's office is a sham, and your promise to protect the environment a fraud.

#### JOBS ONTARIO

**Mr Gary Malkowski (York East):** I'm pleased to rise in the House today to comment on the positive feedback I've received from my constituents on the accomplishments of this government. I'd like to speak briefly about some great things that are happening in the borough of East York.

Perhaps one of the projects I am most proud of is the preservation and protection of the site of the Don Valley brickworks, a part of East York's historical, ecological and geological heritage that will make the Todmorden Mills area an attractive tourist destination. Money for this project has been allocated through the Jobs Ontario Capital program. Jobs Ontario Community Action has provided funding for the renovating of the East York Community Theatre, the first fully accessible, multi-use community theatre and auditorium in my riding.

A new non-profit child care centre will be on the grounds of the East York Civic Centre. The cost for the construction of this centre will be provided by the NDP government. Winpak Technologies has benefited from a \$1.7-million loan from the Ministry of Economic Development and Trade. A partnership with the government and business has been created, resulting in the saving of 245 jobs in my riding.

The various components of Jobs Ontario created more than 145,000 jobs last year. This year, these initiatives will create more than 166,000 jobs. Jobs Ontario Training is the most successful job creation and training program in Canada, and East York has benefited from this initiative by being one of the homes of a Metro Jobs Ontario sub-broker, Thorncliffe Neighbourhood Office. As well, local companies such as Allweather Canvas Products, Robotech Institute and Acrontech have utilized—

**The Speaker (Hon David Warner):** The member's time has expired.

**Mr Malkowski:** Mr Speaker, I would just like to say that my constituents have told me that the plan in fact is working.

#### VISITORS

**The Speaker (Hon David Warner):** I invite all members to join me in welcoming to our chamber, and indeed to our country, and seated in the Speaker's gallery, Mr Manoranjan Bhakta, member of the lower

House of Parliament, the Lok Sabha, in India. He's accompanied by Mr Sharma, the consul of India to Toronto. Welcome.

Also seated in the Speaker's gallery, I would like you to welcome to our chamber this afternoon, and to our country, Dame Peggy Fenner, member of Parliament, and Mr Colin Pickthall, member of Parliament, the House of Commons, United Kingdom. They're accompanied by Mr William Petten, the Senate of Canada, and staff of the British consulate. Welcome.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### BUSINESS REGISTRATION

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** Later today, I will be introducing for first reading the Business Regulation Reform Act. This new bill reflects the government's commitment to cutting red tape for business. Entrepreneurs' concerns about the time and the expense required to launch a business in Ontario have been listened to by this government.

The small business community identified red tape as one of the major barriers to the establishment of new enterprises. We responded by launching a government-wide initiative called Clearing the Path for Business Success. Simply put, Clearing the Path is dedicated to simplifying and streamlining the existing registration and reporting processes for businesses in Ontario.

As many of you already know, the government improved registration processes in September with Ontario business registration access, part of the Clearing the Path initiative.

Starting this September, self-help computer workstations are being introduced in 15 business self-help and land registry offices throughout Ontario. Entrepreneurs can electronically complete up to four of the most commonly required registration forms for an unincorporated business startup.

#### 1350

Entrepreneurs unable to visit a workstation can still save time by calling the special toll-free business registration access help line to order a free business registration kit. The kit contains up to four of the same application forms supported at the workstation. The help line also provides general information about business startup registration and the status of any registration application submitted at a computer workstation or mailed to Ontario business registration access.

To date, response from small business owners has been very positive. Business people now have to spend less time and effort registering their enterprise in Ontario. That means they can get down to the important task of running their businesses.

Improvements to the business registration access program are planned as soon as next spring. An additional 35 workstations will be introduced to Ontario communities. All workstations will accept credit cards, and business people will be able to conduct their own business name searches. And rest assured that although exact locations have not been determined at this point, we



are very conscious of the need to service the north.

However, to provide optimum service to the business community, we need new legislation in place to achieve future Clearing the Path services.

For example, unified reporting will make it possible for businesses to receive consolidated monthly account statements and remit taxes in a single payment. This service will be introduced in September 1995 for retail sales tax and employer health tax payments. Ground-breaking improvements will also include electronic business registration and the use of a combined registration form to replace four individual applications.

New business registrants will also be given the federal single business number. This will help them deal more efficiently with both the provincial and federal governments.

The Business Regulation Reform Act will overcome hurdles in specific program legislation. It will allow the government to change the old requirement for paper forms and signatures, thus paving the way for electronic registration. It will also provide the authority for registration and reporting service expansion. The Clearing the Path initiative will grow and support additional business licences. These could include other provincial, federal and ultimately municipal registrations.

The adoption of this bill will significantly help government clear its own path. It will avoid the time-consuming need to amend numerous acts as new programs are added to the Clearing the Path initiative. It is an important step towards re-engineering the business registration and reporting processes in Ontario. It's also an example of the government's commitment to streamline all of its operations and procedures.

I believe it is imperative that we continue to improve the overall business-government relationship. We can't stop now or slow down our momentum. The Business Regulation Reform Act will allow continuous registration and reporting improvements and ensure more efficient government service to businesses in Ontario. I urge all members to support the bill when I introduce it later today for first reading.

**Hon Brian A. Charlton (Government House Leader):** Mr Speaker, we've had some special guests arrive, and I'd like to seek the consent of the House to stand down the rest of ministers' statements while we move to what I think was an agreed set of events.

**The Speaker (Hon David Warner):** Agreed? Agreed.

**Hon David S. Cooke (Minister of Education and Training):** Mr Speaker, I believe you will be doing the appropriate introductions shortly, but I believe we have unanimous consent to welcome the Nobel laureates who are present here today in the gallery.

**The Speaker:** Do we have unanimous consent? Agreed.

#### NOBEL LAUREATES

**The Speaker (Hon David Warner):** Before members have an opportunity to say a few words I would like to take this opportunity to introduce a very special and distinguished international group of Nobel laureates to the assembly and welcome them to both the assembly and, in

many cases, to our country. Seated in the Speaker's gallery, they are:

Dr Bertram Brockhouse, Nobel Prize winner in physics, 1994, Canada. Dr Brockhouse will be awarded the Nobel Prize in physics in December of this year. He's presently professor emeritus at McMaster University.

Viscount Christian de Duve, medicine, 1974, Belgium. Presently professor emeritus at Rockefeller University in New York and president of the International Institute of Cellular and Molecular Pathology in Brussels.

Professor Dudley Herschbach, chemistry, 1986, United States of America. Presently the professor of science, department of chemistry, Harvard.

Dr Gerhard Herzberg, chemistry, 1971, Canada. Presently distinguished research scientist at the Herzberg Institute of Astrophysics, National Research Council of Canada in Ottawa.

Professor Henry Kendall, physics, 1990, United States of America. Presently professor of physics at the Massachusetts Institute of Technology.

Dr Max Perutz, chemistry, 1962, United Kingdom. Presently at the Medical Research Council's Laboratory of Molecular Biology in Cambridge, England.

Lord George Porter, chemistry, 1967, United Kingdom. Lord Porter of Luddenham. Presently the chair of the Centre for Photomolecular Science at Imperial College, London.

Viscount Ilya Prigogine, chemistry, 1977, Belgium. Presently director of the Ilya Prigogine Center for Studies in Statistical Mechanics, Thermodynamics and Complex Systems in Austin, Texas.

Dr Michael Smith, chemistry, 1993, Canada. Presently director of the biotechnology laboratory and professor in the department of biochemistry and molecular biology at the University of British Columbia.

Dr Charles Townes, physics, 1964, United States of America. Presently professor emeritus at the University of California.

Dr James Watson, medicine, 1962, United States of America. Presently the director of the National Center for Genome Research in New York.

There is one more, but prior to that I would like to introduce the chancellor of the University of Toronto, Rose Wolfe, and the chair of the department of chemistry at the University of Toronto, Martin Moskovits.

Finally, the person after whom this afternoon a chair will be dedicated, from the University of Toronto, Professor John Polanyi, chemistry, 1986, Canada.

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**Hon David S. Cooke (Minister of Education and Training):** I'm sure that all the Nobel laureates who are here this afternoon can understand how thrilled we are in the Legislature to have you in our Legislature but also to have you in our province and in Toronto. You will also understand that we are particularly proud of Professor Polanyi and the accomplishments he has brought to all of us, but also the recognition he has brought to our province and to the University of Toronto. So our enthusiasm is tremendous for all of you; our heart and our appreci-

ation to Dr Polanyi I hope is quite obvious.

I think the fact that a chair in chemistry is being inaugurated tonight at the University of Toronto in Dr Polanyi's name is very much a tribute to the University of Toronto and a tribute to Dr Polanyi and the work he has done, but the fact that all the Nobel laureates have come to be a part of this ceremony is also very much a sign of a great recognition to tonight and to Professor Polanyi from people all across the world.

The accomplishments of the people who are here with us today are truly amazing. I must confess that in reading the notes for today and knowing I was going to be one of the speakers in the Legislature, I felt incredibly intimidated, because the amount of knowledge and the accomplishment of the people who are here today is just truly amazing.

I'll finish by saying that I feel that what is happening today is also a sign of the strength of Canada's and Ontario's university system, and we are very, very proud of the Canadian winners, we're very proud of what's happening tonight and the fact that you took time to be with us this afternoon. Thank you very much.

**Mrs Lyn McLeod (Leader of the Opposition):** It's a great pleasure for me to rise on behalf of my caucus to congratulate Professor Polanyi, who will be so deservedly honoured tonight at the inauguration of the University of Toronto's John C. Polanyi chair in chemistry. And I most certainly want to welcome the 11 other Nobel laureates from around the world who have come to pay tribute to Professor Polanyi for a lifetime of achievement in science and, as well, to share their knowledge and expertise in a variety of scientific disciplines.

This is indeed a proud day for Professor Polanyi, for the University of Toronto, for the Jackman Foundation, which contributed \$1 million to the chair, and for our entire scientific community. This is an event in which all Ontarians can take pride. When the world's leading researchers come to honour one of ours, we know we must be doing something right.

In fact, this fall has been a good one for science and for scientists in this province. Only a few weeks ago, we were thrilled to learn that McMaster University professor Bertram Brockhouse had been awarded a Nobel Prize for his work in physics, and our congratulations to you, Professor Brockhouse.

These achievements are part of a proud tradition of scientific excellence in this country and in this province. As a former Minister of Colleges and Universities and as leader of my party, I've had the opportunity to visit many laboratories and research centres to see the work that's being done, and it is always overwhelming to observe the leading-edge research being conducted by dedicated men and women who are unlocking mysteries and breaking new ground. I can't help but feel that there are future Nobel Prize winners working in Ontario research centres today, and I know that the creation of science chairs like the one being inaugurated today will further the cause of scientific research, the benefits of which are often not seen for years or even decades.

Let me offer my sincere best wishes to Professor

Polanyi. I know that his success over a long and distinguished career in science will serve as an inspiration to other scientists and to those who are considering entering the field. It is an honour for us to share in the pride felt in your achievements.

**Mrs Margaret Marland (Mississauga South):** It gives me great pleasure on behalf of the Progressive Conservative members of this Legislature to greet our illustrious visitors from the scientific community. Ontario is extremely fortunate to host 11 Nobel Prize laureates, one of the largest gatherings of Nobel Prize winners ever to occur outside of Stockholm.

I know my colleagues in all political parties share my awe at the collective brain power in the galleries above us. If even a smidgen of your intelligence, ingenuity and wisdom rubs off on us, this House will be a much better place for it.

Seriously, though, we are delighted that you would visit our city to honour the work of Professor John Polanyi, one of Canada's scientific heroes. Professor Polanyi of course shared the 1986 Nobel Prize in chemistry for his work leading to the creation of the chemical laser. How wonderful that we can celebrate his achievement with the creation of the John C. Polanyi chair of chemistry at the University of Toronto. Our sincere congratulations to Professor Polanyi.

I must also mention today the gratitude of all Ontarians for the generosity of philanthropist Mary Jackman, the mother of Henry Jackman, the Honourable Lieutenant Governor of the province of Ontario. Mrs Jackman's endowment made possible the creation of the Polanyi chair. We know that the chair will attract to the University of Toronto some of the world's finest chemists. Such an endowment will go a long way towards making the University of Toronto one of the world's centres of excellence in chemistry and related disciplines.

One of the most exciting parts of this week's festivities is the lecture series that several of the Nobel laureates are offering to the general public at Convocation Hall today and tomorrow. Thanks to Professor Polanyi's fund-raising efforts, these lectures are free of charge. This is a superb way for people who are not in the academic community to understand and share the excitement of great discoveries in science.

In conclusion, I extend our warm welcome and appreciation to our learned guests.

#### STATEMENTS BY THE MINISTRY AND RESPONSES (continued)

**The Speaker (Hon David Warner):** We now resume statements by ministers. I recognize the Honourable Minister of Economic Development and Trade.

#### CASINOS LE CASINO

**Hon Frances Lankin (Minister of Economic Development and Trade):** I rise today to provide members of the Legislature an update on Casino Windsor and to outline the future direction that we as a government plan to take on casino development.

I received this week from the consulting firm of Ernst



and Young a report with respect to the Windsor casino. The report was commissioned by the Ontario Casino Corp, which asked Ernst and Young to look at how the casino initiative was implemented in Windsor and to assess the first three months of operation.

As you know, this is the temporary and interim casino and it was opened in May. It represents the first step in fulfilling the government's commitment to carefully evaluate Casino Windsor before considering any expansion of casinos in Ontario.

Cette démarche représente la première étape de l'engagement du gouvernement à procéder à une évaluation sérieuse du casino de Windsor avant d'envisager l'ouverture d'autres casinos en Ontario.

The report found that the casino has been an economic catalyst for the Windsor area and has not detracted from Windsor's quality of life. The casino in Windsor is its number one tourist attraction and has proved a significant force in downtown revitalization.

In fact, the casino is Windsor's largest downtown employer. More than 2,000 people are employed by Casino Windsor. The study estimates that another 3,800 people work in casino-related jobs in Windsor, for a total of 5,800 jobs in the area. In addition, it estimates that 4,900 spinoff jobs were created in the rest of Ontario. You add that up and that's a total of 10,700 new jobs, jobs that otherwise would not have existed; 10,700 new jobs, a number I am sure causes all members of this House great satisfaction.

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The study also reports that 18,000 or so visitors each day attend that casino: 14,000 were new visitors who would not otherwise have come to Windsor, and nearly 80% of these tourists come from the United States. Hotels are nearing capacity and hundreds of bus tours are arriving in Windsor each week. Ernst and Young estimates that the new tourists will pump a minimum of \$153 million into Windsor's tourism and hospitality industry during the casino's first year of operation.

Prior to the casino's arrival, a number of concerns were expressed about issues such as increased crime, traffic congestion and noise. The study I'm releasing today finds that these problems have not materialized. The report credits the tremendous planning and effort that went into ensuring that the casino did not detract from Windsor's quality of life.

Given the results that I have outlined today, it is understandable that a number of communities in Ontario have expressed an interest in hosting a casino in their community. I would like to point out to these communities that Ernst and Young's study suggests very clearly that the casino has not been in operation long enough for us to evaluate its full impact.

I share this view and I wish to reaffirm our government's intention not to consider the issue of casino expansion until we have had at least a year of operation of the Windsor pilot project. Accordingly, I have asked the Ontario Casino Corp to continue assessing the facility and to report to me after complete evaluation of a full year's operation.

In addition to the Windsor casino, there is a process currently under way to select a location for a first nations casino. This decision is expected to be announced in early December. The first nations process reflects our government's commitment to a meaningful role for first nations as a casino gaming marketplace in Ontario is developed. Once the site is selected, we will immediately begin to work with the successful first nation to develop a casino. In addition, we will undertake an evaluation of the current process with the first nation leadership.

During this coming period I would encourage every community that believes it wants a casino to read this report. They will see that the success of Casino Windsor was no accident. It did not just happen overnight. An enormous amount of preparation and consultation was done before and during implementation of the Windsor project.

All levels of government were involved and virtually every community organization provided input. In particular, I want to express my appreciation for the tremendous energy and commitment shown on this project by the officials of Windsor, both elected and appointed. A prodigious amount of work went into this project and the citizens of Windsor have every right to be proud.

The Windsor pilot project should be a learning experience for all of the province. Therefore, I have asked the Ontario Casino Corp to make available to interested communities the experience the corporation acquired during this process in Windsor.

These communities should reflect on whether they want to embark upon a project of this scope and, if they decide to proceed, they should work with the Ontario Casino Corp to assess their existing infrastructure, their geographic location, their market opportunities and other factors which would determine whether or not a casino would be appropriate for them. Such work would be a prerequisite should the government look to expanding casinos.

The casino corporation will be willing to share its expertise on these issues and to work with interested communities. Let me clearly outline the principles that will guide the province during any such discussions.

The objectives of job creation, tourism, economic development and optimizing revenues are pre-eminent in all discussions pertaining to casino development. The benefits of a casino must outweigh any identified adverse impact on the community. The casino market is limited, and any additional casinos, if approved, would be located strategically in areas of the province that best fulfil the objectives.

Detailed study is required in municipalities and first nations which may wish to express an interest in being considered for a casino to ensure informed decisions. The studies must address as a minimum the social, economic and law enforcement implications for the community. Because the Ontario Casino Corp is responsible for the operation of casinos in the province, all decisions will be made with the advice of the OCC and, where applicable, the first nations leadership.

If a municipality or first nation wishes to work with

the Ontario Casino Corp on the issues I've outlined, it should express its interest in writing to the OCC and myself. We have no interest in examining specific casino proposals at this point in time. We are prepared to work with communities that wish to explore the option.

If the community is still interested in pursuing a casino after the necessary preparation is done, it would have to pass a resolution as set out in the Ontario Casino Corporation Act. In the case of first nations, indication of band council support would be required.

Let me conclude by reminding the House that when the decision to proceed with the Windsor casino was made, it was done so with caution and prudence. Our approach has not changed. While the report is very positive, it must be recognized that it only covers a very short period of time and that further study and evaluation are necessary. We will proceed with further evaluation and then we will take stock. This is a careful and cautious approach and all of the evidence thus far points to how this approach has worked.

#### BUSINESS REGISTRATION

**Mr Carman McClelland (Brampton North):** In the first instance, allow me to respond to the statement made by the Minister of Consumer and Commercial Relations, her announcement of the Clearing the Path project.

At the outset, I want to congratulate particularly the project team who worked with the minister and the staff. They did an outstanding job.

I want to draw to the attention of the members of this House and other interested parties that this initiative is not a new initiative. In point of fact, it has been undertaken with two previous governments and was given quite considerable impetus in the latter days of the former government. I think that the fact that it's been brought to fruition some four years into this government's mandate is something to be thankful for, and we're pleased that they're moving in that direction.

I think that the minister would want to consider the fact that if she really wants to clear the path for business in this jurisdiction, call an election. After four years of considerable anti-government rhetoric and the problems that you've caused for business, that would indeed clear the path in a much more significant way.

The hope of the opposition is that the implementation of this Clearing the Path project will be considerably cleaner and more efficient than other initiatives, by way of example the Ontario Investment Service which, as you know, some three years into its mandate puts seats on the market at \$250,000 and has four takers. We hope that would not be—

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** Six.

**Mr McClelland:** Well, six now after three years. I stand corrected, with apologies. We hope that this project will receive considerably more success in the time period of three years.

After four years of anti-government rhetoric, this minister is now saying that she wants to do something for small business. It's about time and we're proud that the staff at the ministry have been given the option and the

opportunity to move ahead. I want to congratulate Mr Daniels, the assistant deputy minister, Mr Blomsma, senior legal counsel, and Mr Jim Evans, who headed the project team and did an outstanding job from a staffing point of view in getting this going.

I want to point out as well, very briefly, that what's happening in terms of the legislation today is not really required or necessary for the immediate changes. Those changes can take place and can continue to take place without the legislation, and we would hope we'd get on with some meaningful legislation as well that needs to be taken care of.

Madam Minister, if you really want to help—I say through you, Mr Speaker—businesses as well, today I'll be introducing An Act to amend the Corporations Information Act, which will remove the \$50 filing fee. That will help businesses in a meaningful way as well, and I trust you'll clear the path and give them support. I look forward to that.

Again, congratulations to the project team. Minister, thank you for, after four years, moving on something. We're grateful for

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#### CASINOS

**Mr Carman McClelland (Brampton North):** Mr Speaker, for a few moments one of my colleagues would like to comment on the announcement made with respect to casinos by the Minister of Economic Development and Trade. I want to point out a couple of quick things and then one of my colleagues will speak as well.

We're hopeful that meaningful consultation in fact will be the order of the day. As the minister mentions, on one hand, that we're into a decision in the next number of weeks by an independent committee to make a selection for first nations, we would hope that the neighbouring communities and interest groups, some of whom have said they have had no meaningful consultation, will in point of fact be consulted and given the opportunity to participate in that discussion.

I would also hope, as I look at the third party and their plans with respect to this issue, that we would understand that what they would like to do is have a local referendum after a province-wide referendum. In point of fact, if it were defeated at province, I think our friends in the third party would be in the unfortunate situation of having to close down the Windsor project and then not even have the opportunity to go to a local referendum. We would want to have a local referendum and move ahead community by community, and I want to draw that to your attention as well, Mr Speaker. We trust that the meaningful consultation will in point of fact take place, and I know the member for Wilson Heights has a comment to make as well.

**Mr Monte Kwinter (Wilson Heights):** I listened with interest to the minister and her report on the Windsor casino. What was more interesting is what she didn't say. It'll be interesting to see how this government grapples with the rationale of moving a successful operation into a very expensive operation with very little incremental results in the return, and also with the problem, what do



you do with this successful operation, do you have two casinos in Windsor, which goes totally contrary to what the government has been stating? I'd be very curious to hear what you have to say about those particular issues in the future. I'll be watching it with interest.

**The Speaker (Hon David Warner):** Responses. The member for St Catharines.

**Mr James J. Bradley (St Catharines):** I don't want to congratulate the government for anything today.

**The Speaker:** Response, third party. The honourable member for Parry Sound.

**Mr Ernie L. Eves (Parry Sound):** I share the sentiments of the member for St Catharines.

With respect to the Ontario Casino Corp report that is out today, I would like to first of all correct the record, as I'm sure the member for Brampton North would like me to do, and that is that during the Bill 8 casino hearings, in clause-by-clause deliberation on the bill, it was our party that moved the idea of a referendum in the first place.

The first amendment we moved to the legislation was in fact to have a province-wide referendum, which both the government and the Liberal Party voted against. The second amendment we had was then to have a local or municipal referendum and our good friends in the Liberal Party decided to support us on that one and the government was still against a referendum of any kind.

This is a problem I have with the government's approach to casinos. The Minister of Consumer and Commercial Relations made a statement on June 25, 1993, that it would be years before the province decided whether it would allow a second casino in Ontario. "We are not going to allow any casinos in any community where there is any indication that the community doesn't want it" was another statement the minister made on that day.

I might point out that, first of all, we were talking about a permanent casino. There isn't even a permanent casino built in the city of Windsor yet. Yet the minister today in making her statement says that within a year the government may decide to open or not open additional casinos. There won't even be a permanent casino up and operating in the city of Windsor within a year, let alone having time to review it.

#### *Interjection.*

**Mr Eves:** Speaking of Detroit, as the member for St Catharines points out, on August 2 of this year, I'm sure the government is aware, the city of Detroit residents voted for the first time in favour of allowing casino gambling into their city. The government may be well advised to wait and see what sort of impact that will have, if any, on the permanent casino, if and when it's built in the city of Windsor.

I would also like to talk a little bit about the permanent casino site in the city of Windsor. As I understand it, not all land acquisition problems have been resolved in the city of Windsor yet. I also might point out that, as a result of Bill 8, the government now has given the municipality the power really to expropriate without compensation certain lands and to retroactively fit the

date of compensation, which was a big problem that everybody on this side of the House had with Bill 8 in the first place.

I might also just point out in passing, the Minister of Environment and Energy sitting to your right has waived an environmental assessment for the construction of the casino in the city of Windsor. Of course he doesn't do that very often and he doesn't take that very lightly, but for a huge project like this it's simply waived.

I would like to point out also, the Ontario Restaurant Association, as I'm sure the government is aware, did its own report and study called Initial Impact of the Interim Casino: A Survey of Restaurateurs and Retailers, which Dr Morgan from the University of Windsor prepared.

I'm sure the minister and the government are aware that 58.8% of the restaurants in the city of Windsor have experienced a decrease in sales since the opening of the casino; 66.9% of businesses in downtown Windsor have not realized any increase in sales. When is the government going to acquiesce to the city of Windsor's request to share the casino revenue with the municipality? When are they going to do that?

There are also some very serious concerns about charitable gaming in the province of Ontario. I'm sure the government is aware that last year charitable gaming for charities in this province raised over \$300 million. The CNIB reports in the city of Windsor that before the casino was operational they averaged a profit of \$6,000 a month, and since it's gone into operation they account for a \$400 loss to a \$500 profit per month now. That's the impact you're having on charitable gaming in the city of Windsor.

#### BUSINESS REGISTRATION

**Mr Ernie L. Eves (Parry Sound):** With respect to the Clearing the Path announcement made by the Minister of Consumer and Commercial Relations today, I would say this is one very small step. I would have expected more after your very own ministry, your government, did an interministerial forum in 1992. They pointed out to the government that there are 43,164 forms that the Ontario government requires filed every year, and you're going to deal with four out of 43,164. Congratulations.

**The Speaker (Hon David Warner):** The member's time has expired. The honourable member for Durham East.

**Mr Gordon Mills (Durham East):** I'd like to ask for unanimous consent to speak to Remembrance Day.

**The Speaker:** Is there unanimous consent? Agreed.

#### REMEMBRANCE DAY

#### JOURNÉE DU SOUVENIR

**Mr Gordon Mills (Durham East):** This year is perhaps the most significant Remembrance Day in the lives of most veterans. It marks the 50th anniversary of D-Day, with all those memories. We are marking the 50th anniversary soon of the liberation of Holland, and we're looking quite soon, early next year, to mark the 50th anniversary of the end of the Second World War.

In a few short years' time, most if not all of the veterans that served this country so well in the last war will have passed on. So that makes it a special time this

year, at the 50th anniversary of so many important milestones, to pause and to reflect on all that it meant, the real price of our freedom as we know it today.

So my short speech today will focus on the price of freedom as we stand and honour all of those who gave their all in the Great War, in the Second World War, in the Korean War and in the numerous peacekeeping actions all around the world since the end of the war to end all wars.

Every year at this time I hear, we hear, people asking the question: "Why do you service people bring back the war, with all the atrocities and horrible memories? Why don't you just go and forget the past? The war is over. Go away and forget it."

Unfortunately, the war is not over, nor can we forget it. The war will never be over, for there are those who will try to exercise their power over others, who will try to take away the freedom so gallantly won for us at such tremendous cost. The point is that we do not bring back the war, nor do we glorify it with all its encompassing terrors and sins.

As we sit in this Legislature today, we recall the struggle that existed in order that we may live in peace and freedom, and we all give thanks to those who gave their youth, their vitality and their very lives that we may look forward to the future with hope.

Let us look at all the things in the world as it was and see the grasping, the holding, the greedy and the power-hungry persons who were fighting anyone who got in their way, and let us look at the things in the world today and still see the grasping, the holding, the greedy and the power-hungry persons who are fighting anyone who stands in their way.

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Now tell me the war is over and there is no more need to worry about our peace and our freedom and our right to pursue our own way of life. If we don't stand up for what our comrades laid down their lives for, then we are selling out our birthright, our freedom, our heritage for less than 30 pieces of silver and we are forfeiting to live in a free society.

Those who gave their lives accepted the responsibility that was laid upon their shoulders. They did not conceal the truth, but rather they exercised a self-pride, a desire to make this a land in which we could live in peace and raise our families in the manner of our own choosing, free to speak out on vital issues, free to work, free to prosper according to the amount of effort we have to offer, free to worship in accordance with our own custom and our own desire, and free to act within the limitations of a just and social society which holds honour and virtue above the external advantages of rank and fortune.

All of this requires a personal discipline and responsibility and an integrity to uphold the principles and standards that made Canada a nation of which we can be justly proud. Those whom we honour today and remember gave all they had that we may enjoy all that we have. May each of us proudly and courageously carry the torch of responsibility that will prove to our fallen comrades that they have not died in vain. We can build a nation in

which every man, every woman and every child has the freedom to prosper and progress.

Only people can make a country great. We have been given an example of greatness by those we honour today. Let us continue to set the example of greatness.

**Mr Gilles E. Morin (Carleton East):** It is always with some emotion that I rise in recognition of Remembrance Day. This is the one time during the year when we stop and remember the horrors of war, when we are struck by the fragility of peace.

This fact is brought home more closely by Canada's continuing participation in the United Nations peacekeeping operations. The members of the Canadian armed forces who wear the blue beret are a tremendous source of pride for us all, and today we wish them well and offer our support, wherever they may be.

J'en profite pour souligner la contribution particulière de mon propre régiment, le Royal 22<sup>e</sup> Régiment, qui a participé à plusieurs missions à l'étranger. Ce régiment ainsi que tous les autres régiments canadiens se distinguent continuellement par leur engagement et par l'excellence dans laquelle ils accomplissent leurs tâches.

Remembrance Day ceremonies often turn to the memory of those who were lost in war, and rightly so, in order that we may remember their sacrifice and better appreciate the freedom we enjoy today. Yet so many participants in war did return home, often wounded both in body and spirit. They told stories of hardship, of pain, of loneliness, of courage and heroism. Some remained silent.

I would like to recount the story of one Canadian veteran, 22-year-old Normand Jones, who was shot down over Germany and taken prisoner in 1941. Mr Jones served as a wireless airgunner. There was a regulation that disqualified men over five feet 11 inches and men over 180 pounds from serving as wireless airgunners, and with reason. The turret inside the plane in which the airgunner sat for five or six hours offered very tight quarters and left very little room for comfort.

Mr Jones measured six feet, four inches, and weighed 196 pounds. Two ammunition cans compressed his knees and he couldn't sit properly because the top of the turret prevented him from straightening up. To say the least, Mr Jones was most uncomfortable. I believe he regretted having managed to obtain that post. He has said that he might as well have been in a sarcophagus.

Nevertheless, there he was in the Leeming Bar air force station in England, 10th squadron, awaiting his first mission. A raid on Berlin was planned for Tuesday, September 3, 1941. It was cancelled after the enemy learned of the plan and prepared its response. A second raid across the Dutch coast and into German territory was not carried out quite as planned. The third raid would prove unlucky as Mr Jones's plane was hit by enemy fire forcing him to evacuate by parachute into German territory. He was lifted out of the plane so quickly by the force of the wind that his boots, attached loosely, remained on board.

Captured, Mr Jones spent the remainder of the war as a prisoner. He was held in six different camps, some



more comfortable than others. In general, these camps were terribly cold. There was little or no heating during the winter and just one blanket per person. Ice formed on the inside wall of the barracks and provided some insulation against the cold. Prisoners slept on wooden beds with a mattress consisting of woven twisted paper filled with wood shavings.

Food rations were insufficient. A short piece of German sausage, some sugar, tea, fish soup—including a fish head at times—a strong cheese of varying texture, and, when available, Red Cross parcels. This did not prevent health problems, nor the appearance of signs of dietary deficiency.

Prisoners were kept aware of developments outside the camp thanks to a radio set up by an inmate which broadcast BBC reports. Try as hard as they might, camp authorities were never able to locate this radio. On one particular occasion, prisoners working on the radio did not have time to hide it. They left it in plain view on a tabletop. The radio was still there when they returned to the barracks. It wasn't noticed by the prison guards because they expected it to be hidden.

Near the end of the war, German authorities vacated the camp in which Mr Jones was held, forcing prisoners to march in groups of 500. First, they marched away from the Americans, then from the Russians. They were perhaps to be used as hostages. These groups criss-crossed the Elbe River four times and were some times shot at by Allied forces who may have mistaken them for a kind of people's army, before finally being freed by British troops.

Freedom came on May 2, 1945. On May 10, Mr Jones returned to England where he would remain till July. He could not return sooner to Canada for the following reason: As a state of near famine existed in Holland, all aircraft were being diverted to take food into that country.

In paying tribute to Normand Jones, I also wish to honour the many veterans who are still among us. They are, in essence, a living testament to those dark days. They remind us all of the folly of humanity and of the heavy price that is paid when reason gives way to prejudice, when respect for human life and dignity is replaced with ambition and contempt.

It is my honour to present to the House the gentleman whose story was told today. There was so much more to say. Please welcome Dr Normand Jones from Scarborough.

1440

**Mrs Margaret Marland (Mississauga South):** Next Friday, on November 11, Canadians will march in parades, gather at cenotaphs and attend services to honour the men and women who served in the First World War, the Second World War and the Korean conflict. We will remember the 110,000 Canadians who made the ultimate sacrifice—their lives—so that our great country could live in peace and freedom.

We will also express our gratitude to the surviving war veterans, who share their experiences and their wisdom with us. Our veterans ensure that we do not forget the

lessons of war. They also remind us of Canada's heritage of personal sacrifice for the greater good of our nation.

Earlier this year, we paid tribute to the Allied servicemen who on June 6, 1944, began the assault on the beaches of Normandy that would liberate France from the Nazi oppression. Across Canada, communities held special services and ceremonies to commemorate the 50th anniversary of D-Day. Recently, in front of our Legislature, veterans planted tulips in memory of their dear friends who lost their lives in the D-Day battles.

While we all recognize the important Canadian role in the invasion of Normandy, many of us are not as familiar with another critical campaign: the opening of the River Scheldt. The Battle of the Scheldt also took place 50 years ago, from September to November 1944. The Scheldt campaign cleared the supply route from the North Sea into Belgium and the Netherlands. On November 28, 1944, an historic convoy, led by the Canadian ship *Fort Catarqui*, went up the River Scheldt into Antwerp. On December 1, 10,000 tons of supplies passed through the port of Antwerp, which became an advance base for the Allied forces' campaign to liberate northwestern Europe.

In the view of the Supreme Commander, this was the climax of the operation of the First Canadian Army. However, as in Normandy, the cost for Canadians in lives and suffering was high. More than 6,000 Canadians were killed, wounded or missing in the Scheldt campaign.

I would like to read to this House an excerpt from Field Marshal Montgomery's letter to General Simonds about the Canadian role in the Battle of the Scheldt. It speaks volumes about the bravery, skill and sacrifice of our Canadian forces, not just in this one campaign but in all the wars that we remember today. I quote from Field Marshal Montgomery:

"I want to express to you personally and to all commanders and troops in the Canadian army, my admiration for the way in which you have all carried out the very difficult task given to you.

"The operations were conducted under the most appalling conditions of ground—and water—and the advantages in these respects favoured the enemy. But in spite of great difficulties you slowly and relentlessly wore down the enemy resistance, drove him back, and captured great numbers of prisoners. It has been a fine performance, and one that could have been carried out only by first-class troops.

"The Canadian army is composed of troops from many different nations and countries. But the way in which you have all pulled together, and operated as one fighting machine, has been an inspiration to us all."

That is the end of Field Marshal Montgomery's quote.

Today, as we remember those who gave their lives for us, let us also remember that they made their enormous sacrifice so that Canada could continue to exist as a great nation, undivided from sea to sea. Just as Montgomery observed about our army, we are a diverse society with origins in many other countries. But we do pull together in times of crisis as one inspiring people and one inspiring nation.

We are so very fortunate in Canada. Even our children,

who have never experienced war, know through the media the horror that grips war-torn nations still today. They know how lucky we are that our day-to-day existence does not mean coping with massive starvation, sickness and death, or with bombing raids, mortar fire and the wholesale destruction of communities.

The suffering and sacrifice of our defenders must not be for nothing. My prayer today is for the future of Canada, the great country that they fought for. May we continue to live together in peace, harmony and freedom as one country, undivided from sea to sea.

**The Speaker (Hon David Warner):** I invite all members and our visitors in the galleries to rise for a moment of silence.

*The House observed a moment's silence.*

### ORAL QUESTIONS

#### VIOLENCE

**Mrs Lyn McLeod (Leader of the Opposition):** My question is for the Minister of Consumer and Commercial Relations. Yesterday, the minister announced government action on the matter of teenagers being employed as strippers in bars. I want to take a moment to congratulate my colleague the member for Eglinton on the efforts that she made in determining that a regulation could indeed address this problem. I believe that it was in large part thanks to her efforts that this particular issue was able to be dealt with as quickly as possible.

But we have also been waiting 18 months for the minister to act on a sticker program that is aimed at stopping the proliferation of slasher films and violent pornographic videos. On numerous occasions the minister has said that she was going to act, but there has never been any action taken. Minister, I begin by asking you, do you really support this program, and if you do, after 18 months of promises, why have you done nothing about it?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** First of all, since the Leader of the Opposition made reference to yesterday's announcement on banning under-age strippers in licensed establishments, since both parties across the floor have decided to turn this into a partisan issue, I would like to thank both the Tories and the Liberals for their contribution, but say that Margaret Harrington, from our party, first brought this issue to my attention before anybody from either party. Having said that, I appreciate all the efforts made in this House on the ability to work together to try to find a solution to that problem.

1450

In terms of the issue around video stickering, my ministry officials are working with the industry to come up with a program that is both cost-efficient and effective. It has taken longer than we had hoped because there are some complexities in dealing with this kind of stickering, given the fact that there's a whole array of film and video already in the stores that have been there for a long time and are unstickered. So we're trying to work with the industry to work out the best solution and the best stickering program that will be cost-effective for the government.

*Interjection.*

**The Speaker (Hon David Warner):** Order.

**Mrs McLeod:** I find it difficult to believe that this is such a complicated matter that it has taken 18 months to get anything at all from this minister, and we still have nothing. What we're saying is that the videos that are sold or rented in video stores should be required to have a film review board sticker. It's as simple as that. It's as simple as taking a video and putting a sticker on it. It doesn't seem to be terribly complicated.

The sticker would indicate that the video has been inspected and approved, classified by the OFRB. Clearly, slasher films would not get through that classification process. If there's no sticker, the material would be shown to be illegal. It would have bypassed the classification process. Merchants would know that this material should not be on the shelves and inspectors would be able to identify any material that gets past the classification process much more easily.

It isn't that difficult, Minister, and I really don't think we can allow for any more excuses for absolute inaction. Will you tell us what, if any, specific steps you have taken to actually get this program up and running?

**Hon Ms Churley:** First of all, in reference to slasher films, because that's an issue that's been raised many times in the House, I've said many times that in fact is part of the problem. The kinds of slasher films that have been identified in this House as being a problem predate the film review board. They're already on the shelves and didn't get classified.

Your government was in power during the time when some of these films were released, and the Tory government for a long time. What did you do about a stickering program and an identification program? You talk to me and say it's taking 18 months to get a sticker system together. You had four years. The Tories had 42 years. What did you do? Absolutely nothing. And you sit there and accuse me of doing nothing in 18 months.

*Interjections.*

**The Speaker:** Order.

**Hon Ms Churley:** Mr Speaker, it is not as simple as just getting a sticker and slapping it on a video. I can assure you it is much more complex than that. I can also assure the leader of the official opposition that we are working on this. We are working with the industry and we will have a stickering program in place.

**Mrs McLeod:** Is this minister saying that because something hasn't been done in the past it should never be done in the future, that we shouldn't take any action to deal with a problem that we all agree has to be dealt with? Do you believe that because slasher films weren't classified in the past, slasher films should not be classified now, that it's all right to have them bypass the system and be on the shelves and be available to people when there is a simple action that can be taken?

Minister, I truly believe that your continued inaction on this matter is a betrayal of your own commitment. You said, when you became Minister of Consumer and Commercial Relations, that you wanted to tackle violent pornography. You wanted that to be a priority. The



member for Eglinton's resolution against slasher films, calling for a sticker program, was unanimously passed by this Legislature 18 months ago and you said you would act at that time. I asked you where the program was six months ago. You said you'd be making an announcement in a few weeks, and yet we have seen nothing. Today, you say there is no action plan.

Minister, will you not tell us, with a specific date, when we can expect to see some action on this issue instead of more empty excuses?

**Hon Ms Churley:** First of all, there is an action plan and I've already stated that today. I believe the Leader of the Opposition is not listening, for political reasons, and I cannot believe that the leader of a party who wants to be the Premier of the province can be so naïve as to stand in this House and say it's that simple.

She knows how the film review board works. She knows the kind of system it is. She knows that it's not that easy to just slap on a sticker. But let me say to her, and let me be very clear, that the film review board does not pass violent pornography. It contravenes the Theatres Act and they do not pass any film that has sex coupled with violence. I think she knows that as well. To pin that on the present film review board—they used to do it in the past; they do not do it today under my leadership.

I can assure her once again that there will be, in working with the industry, a video sticker in place for the first time, under this government, under the Rae government, in the history of Ontario.

#### PROTECTION OF PRIVACY

**Mr Gregory S. Sorbara (York Centre):** I have a question for the Solicitor General concerning a serious and perhaps criminal abuse of power by a member of his political staff, one Ari Rozin, who is a special adviser to the Solicitor General and Minister of Correctional Services.

This abuse of power involves threats allegedly made by Mr Rozin to use confidential information to imprison a resident of my riding, one Daniel Theodorou, a neighbour of Mr Rozin's. I have passed a letter to the Solicitor General which was sent to him, a copy of a letter to the Premier which went to the Premier from my constituent yesterday.

By way of background, I should tell you that on October 17 Mr Rozin became upset with the way in which Mr Theodorou's son was driving the family car around the corner in the neighbourhood that they share. On that day, Mr Rozin registered a complaint with the York region police, which he is within his rights to do. I must now quote, if I might, from Mr Theodorou's letter.

Two days later, "Mr Rozin...appeared on my doorstep at 10 pm...to inform me of where he works and to give me his business card.... Mr Rozin then advised me that in his position as a special adviser to the Solicitor General of Ontario, he"—and I'm quoting—"supervises the police" and that if I cannot control my son, he will. Astonished, I replied, 'How are you going to do that?' He said, 'I know your son claimed a paint job and two tires on your automobile insurance policy'—which he claimed is insurance fraud and is punishable by two years impris-

onment. I asked him what he was talking about, to which he responded that I was 'not to fool around' with him as he 'can put me away for two years for insurance fraud' and so on. When leaving, Mr Rozin continued"—

**The Speaker (Hon David Warner):** Could the member place a question, please.

**Mr Sorbara:** —"pointing fingers at me in the presence of my daughter, in a manner clearly intended to intimidate, saying, 'I have warned you, so don't fool around with me.'"

My question is the question that Mr Theodorou raises in his letter: Will the minister convene "an investigation on how Mr Rozin obtained this confidential and private insurance information he claims to have or know about which related to my son?" While he's doing that, if these allegations are true, will he immediately—

**The Speaker:** Would the member complete his question, please.

**Mr Sorbara:** —demand the resignation of Mr Rozin and convene a public inquiry as to how confidential information keeps getting into the hands of ministers and ministers' political staff and is used illegally to threaten and intimidate private citizens in this province?

**Hon David Christopherson (Solicitor General):** The honourable member indeed sent me over a copy of the letter he raises; my office did receive a faxed copy a few hours ago. It was brought to my attention and I have reviewed initially what is here. What I need now is an opportunity to review all of the facts. I will advise the writer of the letter as to the response to his requests, because he makes a number of requests in the letter, within 24 hours, as to how indeed I will respond to the concerns and requests that he has made.

1500

**Mr Sorbara:** These are serious allegations, and if they are true—

**Hon David S. Cooke (Minister of Education and Training):** They certainly are allegations, not facts. Let's not get carried away.

**The Speaker:** Order. Would the member place his supplementary, please.

**Mr Sorbara:** The Minister of Education says, "Let's not get carried away."

**Hon Howard Hampton (Minister of Natural Resources):** Have you ever heard of due process?

**Mr Sorbara:** The former Attorney General says, "Have you ever heard of due process?" This is abuse of process of the worst kind, and I say to the Solicitor General that abuse of process is the hallmark of every single totalitarian government in the history of mankind. But with this government it is a course of conduct. It is Shelley Martel, the member for Sudbury East, threatening doctors. It is Evelyn Gigantes. It is John Piper. It is Will Ferguson.

I ask the minister, will he immediately convene a public inquiry to determine how it is that confidential information protected by the Freedom of Information and Protection of Privacy Act continues to leak out of his government, get in the hands of ministers—

**The Speaker:** Would the member please complete his question.

**Mr Sorbara:** —and is used to threaten and intimidate citizens of this province?

**Hon Mr Christopherson:** I certainly have not in any way suggested that the concerns being raised are not serious. What I have said to the honourable member is that I will of course be held accountable for the decisions that I make with regard to how I respond to the concerns raised by this citizen.

I don't believe it is unreasonable to spend at least 24 hours reviewing the facts before making a decision on that course of action to which, I again say, I expect and readily accept I will be held accountable.

**Mr Tim Murphy (St George-St David):** I heard heckling about "due process," and in fact this is clearly about due process. My concern is that this allegation raises serious concerns about public confidence in the administration of justice. There's a clear implication in the letter, in the allegation, that the police and the courts are the lackeys of this official's whim and whimsy. That is a serious concern, and the only way we can clear up public confidence in the administration of justice is to have an open, public inquiry. I appreciate the Solicitor General's concern to get back to the House, but a backdoor, backroom investigation will not be sufficient.

**The Speaker:** Could the member place a question, please.

**Mr Murphy:** We need to know that it will be a public inquiry to restore public confidence in the administration of justice. I want that commitment today and I want to know if he's yet spoken to his assistant and what he has been advised to date.

**Hon Mr Christopherson:** I again reiterate that I do take these matters seriously. I have had a very brief initial discussion with the member of my staff in question. From that moment on, he has not been a part of any other discussions with members of my staff as to courses of action that are available.

But I again say that all of the concerns raised in terms of how I will respond to these allegations and these concerns I think are properly placed. In respect of that, I again state that I don't think it's unreasonable to at least take 24 hours to determine what appropriate course of action I should take in responding to this citizen's serious concerns, and at that point I will of course, as I said earlier, be held accountable for those decisions.

#### ONTARIO ECONOMY

**Mr David Johnson (Don Mills):** My question, in the absence of the Minister of Finance, is to the Minister of Economic Development and Trade.

The Ontario Taxpayers Federation has brought to our attention that this morning at 9:45, the debt of the province of Ontario hit \$150 billion: \$150 billion. Madam Minister, that's about \$55,000 for every family in Ontario, and that doesn't count the federal debt. Every dollar that goes to pay the interest on the debt—in this year we will be talking about \$8 billion to pay the interest on the debt—is a dollar that can't go into the classroom to teach our children; it's a dollar that can't go

to a hospital; it's a dollar that can't go to ensure safety in our streets.

Minister, my question to you is simply a question that the people of the province of Ontario are asking: What is the plan of this government to tackle that debt and stop the debt clock from ticking?

**Hon Frances Lankin (Minister of Economic Development and Trade):** I want to first of all address the number that the member opposite is using, and I am assuming that he is referring to the same Toronto Sun article that I have in front of me.

In this article, it indicates how the Ontario Taxpayers Federation calculated Ontario's total debt: \$76 billion for provincial debt already issued, which is the number you normally see associated with any statements the Treasurer makes, and it goes on to add to that \$16.9 billion for other liabilities, \$4.5 billion for Ontario Hydro, \$34 billion for contingent liabilities guaranteed by the province, \$11.8 billion in accumulated unfunded liabilities of the Workers' Compensation Board, totals that up and then prorates.

I want to say, first of all, just so viewers don't get an incorrect perception, that the \$150 billion referred to is the actual debt related to the province's operating deficit.

Secondly, may I say very clearly that we have set out a plan with respect to controlling the deficit and living within our means. We believe it is very important for us to bring our operating deficit down and to—

*Interjection.*

**The Speaker (Hon David Warner):** The member for Etobicoke West is out of order.

**Hon Ms Lankin:** —establish a balanced budget on the operating side and to begin to pay off the debt.

*Interjections.*

**The Speaker:** Order. The member for Etobicoke West, come to order.

**Hon Ms Lankin:** We don't see that there is anything progressive about continuing to pay debt servicing costs to bond holders and to bankers when that money could be going to provide the essential services in this province that we want to preserve. We approach that with a balance, and while we're trying to create jobs, to stimulate the economy, we want to preserve essential services and we want to live within our means. There are three parts to the approach, it is an effective plan, and it is a plan that we continue on and that we believe is working.

**Mr David Johnson:** Well, Minister, your response consumed 183 seconds, which is admirable: 183 seconds—

**The Speaker:** Does the member have a supplementary?

**Mr David Johnson:** Madam Minister, 183 seconds is \$59,000, almost \$60,000 additional debt in the province of Ontario. In that short period of time during your response, \$60,000 has been added to the debt of the province of Ontario. That's how serious the situation is, Minister, and I'm surprised that you would downplay the importance of that amount of debt. The people of Ontario are on the hook for the debt. Whether it's incurred by the



province of Ontario, whether it's incurred by Ontario Hydro, whether it's incurred as an unfunded liability of the Workers' Compensation Board, the people of Ontario are on the hook for a \$150-billion debt as of this moment today, and Minister, the taxpayers are asking you—

**The Speaker:** Would the member place a question, please.

**Mr David Johnson:** —and your government, what are you doing about addressing the debt? What specific guidelines are you giving to Ontario Hydro, what specific guidelines are you giving to the Workers' Compensation Board to reduce that debt that the people of Ontario owe?

**Hon Ms Lankin:** You know, it's interesting. Let's just take the examples I went through in this article in terms of what the taxpayers federation used to total up to this \$150-billion number, and let's examine them one by one.

Let's talk first of all about Ontario Hydro. The member opposite just mentioned that. I think he should be standing here paying tribute to the workers and the management of Ontario Hydro for the restructuring they have undertaken, for the way in which they have brought under control the increase in rates—in fact, this year they've lowered rates—in spite of the fact that we have a tremendous debt load from the building of nuclear plants, legacies of mismanagement of former governments.

1510

Let's talk about the WCB. Let's talk about the unfunded liability, which you have added in here somehow as a government debt. Irrespective, let's talk about it. It is important that that is addressed. We are the first government that has brought in legislation that is going to change parts of the Workers' Compensation Act which will in fact reduce the unfunded liability out into the future.

When you take a look at that, and other actions that have been taken—

**Mr Chris Stockwell (Etobicoke West):** That is bunk.

**The Speaker:** The member for Etobicoke West, come to order.

**Hon Ms Lankin:** —over the past two years, we have brought down the provincial deficit by 30%. I have not in any way downplayed the importance of dealing with the debt. What I've said is that it needs to be done in a balanced way. We need to create jobs, we need to preserve services and live within our means, and that's what we are doing.

**The Speaker:** Final supplementary.

**Mr Stockwell:** How do you get away with saying that? You just made it up.

**The Speaker:** Order. Would the member for Etobicoke West please come to order and allow his own colleague to pose a question.

**Mr David Johnson:** Any way you slice it, this is a debt on the people of the province of Ontario. I'm simply asking, on behalf of the people of Ontario, in regard to this horrendous situation, what is the plan of this government to deal with the debt? It's a simple question.

Today the taxpayers pay over two times as much to service the debt in the province of Ontario as we do towards a number of services. Let me tell you what those services are: agriculture, tourism, recreation, natural resources, mines, native and francophone affairs, prisons, courts, policing, economic development and trade, and the environment. Combine all of those together and the interest on the debt is twice as much as all of those together. That is the impact the interest on the debt is having in the province of Ontario. It's squeezing out services that are required by the people of Ontario.

My question is simply, when will you recognize that tinkering with the financial situation of the province of Ontario is no longer acceptable?

We have a plan. The Progressive Conservative Party has a plan.

**The Speaker:** Could the member complete his question, please.

**Mr David Johnson:** The plan of the Progressive Conservative Party of Ontario will eliminate the deficit in four years, and then after that period of time, the plan will pay down the debt of the province of Ontario. Minister, what is your plan?

**The Speaker:** The question's been posed.

**Hon Ms Lankin:** If you take a look at the Treasurer's last budget, it is clearly set out where we project the operating deficit will go. In fact, just recently in his economic statement, he gave the province good news that there are unanticipated additional revenues which will be put towards the deficit to bring the deficit down quicker, not put towards additional spending. He's been very clear on that.

We have agreed that there is a need for governments at all levels to be very careful with their spending, to look at bringing down deficits, to try to rid us of this debt load. We agree with that. What we've put forward is a balanced approach to trying to do it, not some kind of Ralph Klein-Mike Harris approach that isn't common sense.

It makes no math sense. You tell me how you're going to cut spending by 20% but not touch health care, over a third of the provincial budget; not touch law enforcement; not touch education. You're going to cut 20% out and at the same time you're going to cut taxes by 30%, and you're not going to increase the deficit, you're going to get rid of the deficit in three years. Give me a break. There is no sense to the Common Sense Revolution.

#### MINISTRY OF TRANSPORTATION CONTRACTS

**Mr David Turnbull (York Mills):** My question is to the Minister of Transportation. I would like to congratulate my colleague across the floor, the member for Cambridge, on his appointment to this portfolio. It's probably the last nice thing I'll say to you, Minister.

We have two examples, Highway 407 and now QEW, in which contracts have been awarded in a closed and secretive way. In the case of the QEW contract, we don't know the conditions of the award or even the amount of the contract. The government has taken a process that was clean, transparent and accountable and made it closed, subjective and questionable.

My question to you is, will you table in this House all the bids submitted for widening the QEW and the total cost of the project to the taxpayers of Ontario?

**Hon Mike Farnan (Minister of Transportation):** I just want to say to the member, clearly and unequivocally, that there has been no conflict. We have reputable companies bidding on a project. There is a very clearly defined process that has been adhered to. The process has been overseen by Coopers and Lybrand, the best proposal was selected, and we've had both internal and external legal opinion that indeed the process was aboveboard, clean, objective and fair.

Are you accusing these companies of breaking the law? If you are, if you are accusing these companies, I ask you to lay some objection there. But I want to say this to you: There is absolutely no conflict of interest.

**Mr Turnbull:** All I asked for was for them to table the documentation. I'm interested about why you're getting so upset. The one thing, Minister, these contracts have in common, the 407 and the QEW contracts, is that they were both closed bids and both benefited the Labourers union. The Labourers union Local 183 held a fund-raising dinner for the Premier in January this year. This was the most successful provincial NDP fund-raiser ever. The memorandum to the ticket sellers states: "The prestige and the name of 183 must be maintained for all future lobby efforts that benefits."

Boy, did they benefit, first with the 407 and now with the QEW. These are the first times that major government contracts have been awarded without an open tendering process being used. Minister, can you assure the taxpayers 100% that the contract was awarded to the lowest bidder?

**Hon Mr Farnan:** I have to say I detect a great degree of jealousy from this member towards a government that is showing an extraordinary initiative of working with free enterprise and working with entrepreneurs and building projects, huge projects, in an innovative partnership with the private sector. We have indeed put on track, on a fast track, huge projects that bring jobs, thousands and thousands of jobs. We are building these roads in four years as opposed to 20 years. Unfortunately, in the old days, in the old way in which you did business, it would have taken 20 years to build these major projects—

**The Speaker (Hon David Warner):** Could the minister conclude his reply, please.

**Hon Mr Farnan:** —but this government, with its partnership with free enterprise, is building these projects not in 20 years but in four years.

I can assure the member there was a due process; there was a maximum price the projects had to come in under. The best bidder was selected in due and fair process, the process is clean and there is no conflict.

1520

**Mr Turnbull:** All I asked you was, did the lowest bidder get the job?

*Interjections.*

**Mr Turnbull:** Just a moment, just simmer down there. You know we've raised questions to your prede-

cessor about the awarding of the contract on 407, and there have also been questions about Local 183 connections with your government raised in the press. To restore a sense of integrity and openness in contracts in this province, will you table both the QEW and the 407 project data immediately?

**Hon Mr Farnan:** The member knows it is not the government that tables this information. These are bids about which the member can go to those companies and request the information.

**Mr Turnbull:** That's not true.

**The Speaker:** Order, the member for York Mills.

**Hon Mr Farnan:** If the company wishes to give that information, it will do so, but indeed these are projects in which confidentiality is important. I also want to say to the member—

*Interjections.*

**The Speaker:** Order. Would the minister please take his seat.

**Mr Turnbull:** You made them sign gag orders, and now you say to go to the companies and ask. What rubbish. What a stupid answer.

**The Speaker:** The member for York Mills, please come to order. New question.

#### PROTECTION OF PRIVACY

**Mr Gregory S. Sorbara (York Centre):** I want to go back to the Solicitor General on the Ari Rozin matter. In my first question, the Solicitor General acknowledged that he was aware of the allegations I brought to his attention and indeed that he had spoken with his special assistant, Mr Rozin, about the allegations made by my constituent.

I want to ask the Solicitor General very specifically, because these are very serious, perhaps criminal, allegations, whether or not the Solicitor General received an acknowledgement from Mr Rozin that these events actually took place. Secondly, what steps specifically has the Solicitor General taken to conduct an investigation? Thirdly, given the potential for criminal activity here, has the Solicitor General advised the OPP to conduct an investigation for the possibility of criminal activity, have they sealed Mr Rozin's office, and what other steps have been taken to ensure that no evidence is destroyed while this investigation is going on?

**Hon David Christopherson (Solicitor General):** I indeed did acknowledge the fact that there are serious issues being raised in the correspondence. I've also taken into consideration the requests that the author of the letter himself makes.

Your question around what steps have been taken specifically I think speaks very directly to the answer I gave previously. I expect to be held accountable in this issue for the decisions I make around how this is responded to. The letter came to my office barely a few hours ago, was brought to my attention. I have not had sufficient time to look at this and make a decision that I think is very important to all concerned, not just the member here; the citizen and certainly the individual involved.



Again, I say I do not believe it is unreasonable to take at least a minimal amount of time to look at all the facts and make a decision on what steps need to be taken and then be held accountable for those steps that I take as the minister responsible.

**Mr Tim Murphy (St George-St David):** Solicitor General, what we are asking for is what you can tell us now. We want to know, for example, whether you have asked for the OPP to be involved or whether any police force has been called in. Did your assistant, when you talked to him, which you admit you have done, confirm or deny the substance of the allegations? You have said you are going to make a decision later, which I can understand.

We want to know now whether he confirmed or denied the substance of the allegations. Did he confirm or deny that he had access to confidential information? How did he get that confidential information? Do other people in your office have that confidential information? Have you issued directives to your staff to ensure that this kind of abuse of confidential information cannot occur again? You can answer those questions now. I and the House would like to hear the answer.

**Hon Mr Christopherson:** I sincerely do not believe I can answer those specific questions without the serious potential for perhaps prejudicing whatever decisions and whatever courses of action may have to be taken. I have not even had time, given the lateness this came into my office before I came here to the House, to consult legal advice, or any other kind of advice, for that matter.

I have looked at the letter. I have had an initial meeting with my staff person, a very brief meeting, and, following that, made sure he was no longer and will not be a part of any other deliberations in my office with regard to steps I've taken. I honestly believe, given your acknowledgement that it will take a little time to determine what steps are appropriate and that this is fair in this case, that it is equally reasonable that I not comment in any way now where it may indeed prejudice whatever type of course of action may be appropriate in this case.

#### ONTARIO BUS INDUSTRIES INC

**Mr Gary Carr (Oakville South):** My question is to the Minister of Economic Development and Trade. Minister, yesterday you told this House that Ontario Bus Industries is "an important file." Minister, Arnold Recht is a Toronto lawyer who contacted Ontario Bus on Tuesday of this week on behalf of clients asking about some of the investment on behalf of his clients. No one at Ontario Bus called him back. No one bothered to call Mr Recht back when he contacted Ontario Bus to ask about investment on behalf of his clients from around the world.

My question to you is this, Minister: Can you explain why, given the millions of tax dollars we have now spent on this particular company, a potential investor is ignored?

**Hon Frances Lankin (Minister of Economic Development and Trade):** I can't explain the actions of an individual who answered the phone or took a message at Ontario Bus Industries. I'm not involved in the day-to-

day running of Ontario Bus Industries. What I would suggest to you is that if you pass me the individual's name, I will pass it on to the strategic investments department within the Ministry of Economic Development and Trade, Mr Peter Tanaka, who I think is a person respected by all members of this House, and we will follow up on it. We'd be very interested to speak to the individual.

**Mr Carr:** Minister, in just a few months the liability on behalf of the Ontario taxpayers has gone from zero to \$100 million on this particular company alone. We don't know what the amount will be, but there have been estimates of up to as much as \$100 million or maybe more. Given that the taxpayers of this province are personally on the hook for this amount, why is it that somebody would not call back an individual who called?

I will explain a little further to the minister. What happened is that when he explained to the person who answered the phone, that person didn't even realize there was a problem with the company and said, "I will have the president of the company or another individual call you back." We wonder why there are problems with this company when you can't even get a message to the president about a potential investor to call back.

In light of the problems, in light of what should have been a simple solution in terms of how to handle this, I will send over Mr Recht's phone number for the minister to personally get involved in this particular issue and to call this lawyer, who has investors from around the world interested in putting investment into this company, so she can personally supervise it. We've obviously got a problem with this company, and I hope the minister will call this particular individual and report back what type of action we can expect.

**Hon Ms Lankin:** I didn't hear a question, but let me take this opportunity to say that I think it is kind of silly of the member opposite to be asking me why the receptionist or the secretary or whoever the individual was who took the phone message at OBI hasn't yet got the president of OBI to call back this individual on this piece of paper, a torn message. I don't know; that's a pretty silly question. You've given me a name. I've said I would have Mr Tanaka of the strategic investments department of the Ministry of Economic Development and Trade call the individual. That's the appropriate way. That's what will happen.

1530

#### ALTERNATIVE FUELS

**Mr Randy R. Hope (Chatham-Kent):** I see the questions today are around economic development and I have a question on economic development, but I'm going to direct it to the Minister of Agriculture, Food and Rural Affairs, which I believe is very important.

Before I begin my question, it was also nice to hear the member for S-D-G & East Grenville's comments about the Liberal stance on ethanol, because as you well know, Mr Speaker, this government fully supports ethanol and the development of the ethanol industry in the province of Ontario.

Ontario corn producers and rural communities in

southwestern Ontario now await the matching federal request for potential investment in a \$160-million ethanol facility in the city of Chatham, which is clearly indicated here in the Chatham-Kent gazette. Time is running out for the project to become a reality.

Given the potential of rural employment and economic benefits generated by ethanol, can the Minister of Agriculture, Food and Rural Affairs please update this House on our actions to make investment in the Chatham ethanol project a reality?

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** I'm pleased to answer this question for the member, who has been an advocate of his area, particularly economic development of the Chatham area, through the ethanol industry.

A few things that we've done:

Over a year ago we announced a procurement policy for government vehicles, where, when available, they will purchase an ethanol-blended fuel for government cars. That's a demonstrated action, not just talk about what we support; we actually do it.

The second thing is that my honourable colleague the Honourable Frances Lankin, Minister of Economic Development and Trade, reached an agreement with Commercial Alcohols to provide \$5 million towards the infrastructure part of an ethanol plant in Chatham.

So we don't just talk about rural development in ethanol, we in fact have been very active. We signed an agreement with Commercial Alcohols to extend the tax exemptions to make this plant viable and create jobs in rural Ontario.

**Mr Hope:** I'm just trying to find my red book, which turned a little blue while the federal Liberals were in Ottawa. I see it's gone a little blue, but I know it's red inside; it says "Red" on the paper.

Can the minister tell us when the federal government is going to live up to its promise, whether Sheila Copps or whoever the Minister of Agriculture and Agri-Food is, or even who the Prime Minister of Canada is going to be, to support the ethanol industry in this province and throughout this country dealing with emissions from cars.

**Hon Mr Buchanan:** The people of Ontario sent 97 Liberals to Ottawa a little over a year ago, and in that little red book there was a promise to promote the ethanol industry. If that government in Ottawa and those Liberals were representing Ontario, they'd get on with signing an arrangement with the ethanol industry and create some jobs in Chatham.

This government is not about talk; we're about action. We believe in doing things; we believe in creating jobs. It's easy to say, "We'll promise an ethanol industry," or, "We'll protect this," or, "We'll do that." We're doing it. We want to create the jobs. We want to see rural economic development in this province.

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr Steven W. Mahoney (Mississauga West):** My question is for the Minister of Labour. The minister will know that last March her predecessor appointed Dr Carolyn Tuohy to conduct a review of the Workplace Health and Safety Agency. The review of this agency is

in fact a requirement of the legislation that set up the agency in the first place.

In the media release announcing Dr Tuohy's appointment, the minister promised a broad consultation with the many stakeholders in the health and safety community in Ontario. The release also says that Dr Tuohy would be submitting her report to the minister in September 1994.

I understand that all of the consultation was completed in the summer. The minister will know that given the problems the agency has encountered as a result of its aggressive and confrontational style, a style, I might add, that has resulted in court action against the agency, the people who participated in Dr Tuohy's consultation are most anxious to see her report. It's now November. Will the minister tell this House when she is prepared to release Dr Tuohy's report?

**Hon Shirley Coppen (Minister of Labour):** I thank the member very much for his question. We all are interested about the Workplace Health and Safety Agency because it has done so much good for the province of Ontario's working people. There have been over 14,000 people who have taken the certificate program, with a success rate over 8,000. That shows how people are interested in health and safety.

When we talk about the review, the document was supposed to be brought to me at the end of October. My understanding from staff at the ministry is there has been some little delay in it and I'd be—

**Mr Gerry Phillips (Scarborough-Agincourt):** Can't they find you?

**Hon Mrs Coppen:** Just a couple of days, sir. It's only November 3. When the report is brought to me, I'd be very happy to share it with the member and all of its reports from the consultations. I understand there were about 50 groups in the province that took the time and brought their concerns forward, and I would be happy to share it with the member.

**Mr Mahoney:** I appreciate that and I take it as a commitment. You've said "when the report is brought to you." I assume that you will immediately then release it to the people who were involved in the consultation.

I might point out to you that the two co-chairs of the agency were so perplexed by some of the comments made by various people who came before Dr Tuohy that they saw fit, Minister, to write a 12-page critique of their comments. They're indeed trying to influence Dr Tuohy in the results that she puts out in the report. Most inappropriate. I would suggest, Minister, that you talk to the two co-chairs to tell them that their position should be to wait for that report to be released and not to try to influence it by writing a 12-page letter.

Will the minister give an unequivocal commitment today that she will contact Dr Tuohy and ask her to release that report forthwith and that she will then release that report to the members of this Legislature and the people of this province so that we can indeed review her comments on the Workplace Health and Safety Agency? We want to see that report now because we think it's ready. Will the minister commit to that?

**Hon Mrs Coppen:** Again, to the member for



Mississauga West, I think it's very sad that he uses this House to publicly denounce the two co-chairs of such an important agency, an agency that is helping working people throughout this province.

I will be having discussions with Dr Tuohy. I will be seeing the report as soon as possible. I will be glad to share it with the member for Mississauga West. But as I said, I have not received it yet. I would really, if I was the member, reconsider my comments about the two co-chairs, because they have proven to be such an asset, a help to working people in this province.

#### HIGHWAY CONSTRUCTION

**Mr Norman W. Sterling (Carleton):** My question is to the Minister of Transportation. Mr Minister, yesterday you clearly indicated to this House that your government would be willing to put forward two thirds of the funding for finishing Highway 416, going down to the 401 from Ottawa.

You may be interested to know, Mr Minister, that in October I had a meeting arranged with Mr Runciman, Mr Villeneuve and myself with the Honourable Art Eggleton in order to discuss this issue and so that we could get the funding going. At the very last moment Mr Eggleton cancelled that meeting and could not find any time on his calendar to meet with us with regard to this issue.

I now believe there's a deliberate attempt by the federal Liberals to mislead the people of eastern Ontario as to who is reneging on the promise to build Highway 416. In a May letter, Minister Eggleton ties the funding, the one-third funding or the approximately \$60 million worth of funding, to the infrastructure program. Mr Minister, is there money left in the federal-provincial infrastructure program which could be put forward to Highway 416?

**Hon Mike Farnan (Minister of Transportation):** I welcome the question. Like you, I believe there is a paper trail that clearly establishes a commitment on the part of the federal Liberals. I have a letter from Mr Eggleton which reads, "When I made my statement concerning Highway 416, I was not aware of Prime Minister Chrétien's commitment," so not only has the minister but the Prime Minister of Canada.

You're quite correct: Those 99 Liberal federal members are sitting in Ottawa, and it appears they have no power to speak for the people of Ontario. Certainly the people of eastern Ontario have to be very disillusioned with the Liberal presence in Ottawa and their reneging on this very important commitment.

1540

I said yesterday also that my government is absolutely clearly committed to providing two thirds of the funding. The funds that you refer to, the Canada-Ontario infrastructure works and the STIP program, are funds that have already been allocated. There are no moneys available unless the federal government wants us to go back to the municipalities and ask the municipalities and say, "No, you can't have those programs which are allocated."

**The Speaker (Hon David Warner):** Could the minister conclude his reply, please.

**Hon Mr Farnan:** Remember, the purpose of those programs initially was that we could have grass-roots decision-making, that municipalities could determine what the projects would be. It would appear that the federal government is not only reneging—

**The Speaker:** Could the minister please conclude his reply.

**Hon Mr Farnan:** —on its commitment to the province but is reneging on its commitment to the municipalities across the province.

**Mr Sterling:** I am informed that of the \$720 million which was allocated to the province of Ontario, and particularly of the portion that was allocated to eastern Ontario, only \$5 million was not used under the first draft of the Canadian infrastructure program. That leaves a shortfall of some \$55 million which we would need in order to fulfil the third part of the cost of completing 416.

In a letter to my colleague Mr Villeneuve there is mention also of another program under which the federal Liberals, I believe, are trying to hide or renege under the guise that there is a program there. That is the program called the Canada-Ontario strategic transportation improvement program. Minister, can you tell me if there are sufficient funds under that program to either pay the full \$60 million or pay the balance of the \$55 million, which appears to be one third?

If there is not money within that amount to pay for that third commitment, which was made clearly by one of the federal candidates during the last federal election, I would say that the people of eastern Ontario would have to come to the conclusion that the federal Liberals—

**The Speaker:** Could the member conclude his question, please.

**Mr Sterling:** —are reneging on their promise to pay one third of the cost of completing Highway 416.

**Hon Mr Farnan:** There are times when issues arise in the House where we do find agreement, where we look at the facts and we recognize the facts and we interpret those facts and we come to the obvious conclusion, and this is a case in point.

I think it doesn't matter where you sit in this House, whether you're a Conservative or a New Democrat, you can see it speaks for itself. The federal government, the federal Liberals have reneged. Of course, it must be a huge embarrassment to Lyn McLeod and the Liberal caucus here to see the Prime Minister's commitment reneged upon, to see the minister responsible playing shell games—

**The Speaker:** Could the minister conclude his reply, please.

**Hon Mr Farnan:** —and the 99 Liberals members in Ottawa failing to represent the people of Ontario. This is an important road. It's important to the people of eastern Ontario. It's a significant link—

**The Speaker:** Would the minister please conclude his reply.

**Hon Mr Farnan:** —and clearly the Liberal Party has let down the people of eastern Ontario.

**The Speaker:** Would the minister take his seat, please. New question.

#### ALCOHOL SMUGGLING

**Mr Gary Wilson (Kingston and The Islands):** My question is for the Minister of Consumer and Commercial Relations. I'm very pleased to say, just following up on the Minister of Transportation's statement, that the Liberals will have many opportunities to help the people of eastern Ontario, and I look forward to their cooperation.

But my question involves, in part, the recent announcement by the Treasurer—

*Interjections.*

**The Speaker (Hon David Warner):** Order. Take your seat, please.

*Interjections.*

**The Speaker:** Would the member place his question, please.

**Mr Gary Wilson:** Again, to the Minister of Consumer and Commercial Relations: Minister, as you know, the Treasurer announced in the House earlier this week that the deficit will be dropping by \$206 million because of the very strong performance in the second quarter of our economy. I think it's 8.4%, a record for the province, or at least since 1989.

I think this is a real indication that our plan is working, that we are creating jobs and protecting services and living within our means. But my concern is that we might become complacent. You can tell by the opposition that already they've sort of withdrawn; they are impressed by this kind of performance.

My question pertains specifically to alcohol smuggling, because that's something I think all members of this House are very concerned about because of its cost in both social and economic terms. Minister, quite directly, what is the ministry doing about alcohol smuggling in the province?

**Interjection:** Nothing.

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** The Liberals think they have the answer to this one in one word, but they're wrong. A while ago, a new piece of legislation, or amendments to the Liquor Licence Act, was made in this House. I believe the opposition—correct me if I'm wrong—opposed that bill, but it increased fines for smuggling by individuals and corporations and it allows special search and seizure measures. We believe that's already having an effect in this effort.

Also, even in this climate of restraint that we've been in, we've added new resources to the investigation and enforcement related to smuggling, and I'm happy to say that we do feel we're seeing results from this.

**Mr Gary Wilson:** Minister, as you know, this issue affects more than just the province, but certainly the federal government is involved, as well as, I expect, police forces. I was just wondering what kind of coordination is taking place with the other jurisdictions that are involved with this issue.

**Hon Ms Churley:** Ontario has been working with

other jurisdictions. We're coordinating our law enforcement efforts with the LCBO, the OPP, municipal police forces, the RCMP, Revenue Canada and the Ontario Ministry of Finance. Everybody has been working together on this. I'm not going to stand up and slam the federal government on this one. I believe everybody recognizes that we all have to work together on this problem. I'm pleased to say that there's a very fine cooperative effort among all the parties involved in this effort, and I must say at this point I appreciate the efforts that everybody has put into this effort.

#### FINANCIAL PROCEDURES

**Mr Gerry Phillips (Scarborough-Agincourt):** My question I guess is to the Minister of Transportation, in the absence of the Minister of Finance. I was looking at the quarterly report, the second-quarter report. I see the provincial government has taken all of the federal spending on infrastructure, \$253 million of federal spending on infrastructure—

**Mrs Elinor Caplan (Oriole):** A quarter of a billion dollars.

**Mr Phillips:** A quarter of a billion dollars, as my colleague said—taken the federal money and shown it as revenue, and then over on the capital side they've reported all of the federal spending, the \$253 million, as provincial spending. So they've taken the \$253 million that the federal government is spending on infrastructure, put it in as revenue, and then you're reporting all of that money—all of it; \$253 million—as your own capital spending.

I just have to have a clear answer from the minister: Is that true? Have you taken the \$253 million of federal infrastructure money, shown it as revenue and then had the nerve to actually report it as your own capital spending? Could that be true?

**Hon Mike Farnan (Minister of Transportation):** I would have to say that the manner in which the book-keeping on these matters is reported is something that would fall outside of my jurisdiction.

But I do want to say to the member, and it's very interesting, I have heard federal members stand up in the federal House and clearly state that projects that were being worked with provincial dollars were indeed their projects. That of course is absolutely untrue. We have always said that the COIW projects are of course multilevel projects, with one third from the province, one third from the feds and one third from the municipalities.

I've always said "congratulations" to the federal government for putting forward some dollars in terms of infrastructure. But I want you to understand, and the people of Ontario clearly understand, that what you do with your federal dollars is peanuts compared to the dollars that we put in in terms of infrastructure and capital within the province of Ontario.

1550

#### NOTICE OF DISSATISFACTION

**The Speaker (Hon David Warner):** Pursuant to standing order 34(a), the member for Simcoe West has given notice of his dissatisfaction with the answer to his question given by the Minister of Labour concerning Bill



40 and its impact on rail line acquisition. This matter will be debated today at 6 pm.

### MOTIONS

#### WITHDRAWAL OF BILL 92

**Hon Brian A. Charlton (Government House Leader):** I move that the order for committee of the whole House on Bill 92, An Act respecting Land Conservancy Corporations, be discharged and the bill be withdrawn.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

#### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Brian A. Charlton (Government House Leader):** I move that, notwithstanding any standing order or previous order of the House, Mr Owens be deleted from the order of precedence for private members' public business and that all members of the New Democratic Party caucus listed thereafter be advanced by one place in their turn.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

**Hon Mr Charlton:** I move that, notwithstanding any standing order or previous order of the House, the following changes be made to the order of precedence for private members' public business:

Ballot item 71, Mrs Caplan; ballot item 73, Mr Henderson; ballot item 75, Mr Bradley; ballot item 77, Mr Curling; ballot item 79, Mrs O'Neill (Ottawa-Rideau); ballot item 82, Mrs Fawcett; ballot item 83, Mr Poirier; ballot item 85, Mr Conway; ballot item 87, Mr Cordiano; ballot item 89, Mr Crozier; ballot item 91, Mr O'Neil (Quinte); and ballot item 99, Mrs McLeod.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

### PETITIONS

#### MENTAL HEALTH SERVICES

**Mr Tony Ruprecht (Parkdale):** I have a petition that I have received from a number of residents in the Parkdale riding and also in the riding of Fort York, and it reads:

"Whereas the NDP government is hell-bent on establishing a 20-bed forensic facility for the criminally insane at the Queen Street Mental Health Centre; and

"Whereas the nearby community is already home to the highest number of ex-psychiatric patients and social service organizations in hundreds of licensed and unlicensed rooming-houses, group homes and crisis care facilities in all of Canada; and

"Whereas there are other neighbourhoods where the criminally insane could be assessed and treated; and

"Whereas no one was consulted—not the local residents, not the business community, not leaders of community organizations, not education and child care providers, and not even the NDP member of provincial Parliament for Fort York;

"We therefore, as undersigned residents and business owners of our community, urge the NDP government of Ontario to immediately stop all plans to accommodate the criminally insane in an expanded Queen Street Mental

Health Centre until a public consultation process is completed."

I agree with this petition and affix my signature to the bottom of this.

#### HEALTH INSURANCE

**Mr Gary Carr (Oakville South):** I have a petition, signed by hundreds of constituents, which reads as follows:

"Whereas the provincial government has slashed health care coverage by 75% for Ontario citizens who are hospitalized out of the country; and

"Whereas this will mainly affect seniors who travel south in the winter for health reasons; and

"Whereas this is an indisputable violation of sections 7 and 11 of the Canada Health Act; and

"Whereas Mike Harris of the Progressive Conservative Party makes the preservation of medicare a priority in his Common Sense Revolution policy document;

"We, the undersigned, petition the government of Ontario to act in a fair manner by preserving the sacred principles of medicare and restore the out-of-country hospitalization coverage to the rates charged by hospitals in Ontario."

I've signed that as well.

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr Mike Cooper (Kitchener-Wilmot):** I have a petition to the Legislative Assembly of Ontario and it's signed by a number of members of Local 677, United Rubber Workers from Kitchener.

"Whereas the right for workers to refuse to do unsafe work is an essential component of health and safety legislation in the province of Ontario; and

"Whereas the threat of sending co-workers home without pay during a work refusal constitutes significant peer pressure to continue to work in unsafe conditions;

"We, the undersigned, petition the Legislative Assembly of Ontario and the Minister of Labour for the province of Ontario to bring private member's Bill 157, An Act to amend the Occupational Health and Safety Act, before the Legislature for third reading."

#### LIQUOR LICENSING

**Mr Joseph Cordiano (Lawrence):** I have a petition signed by some 200 of my constituents who attended a public meeting last night.

"To the Legislative Assembly of Ontario:

"Whereas the after-hours club Tae's International, located at 2915A Dufferin Street, has been the site of over 20 reported offences including alcohol, weapons, drugs and homicide in the last four years; and

"Whereas municipalities, police departments and the Liquor Licence Board of Ontario are currently not equipped to deal with the problems associated with after-hours clubs; and

"Whereas the leader of the official opposition, Lyn McLeod, has called upon Premier Rae and all members of the Legislature to ensure speedy passage of legislation providing the necessary laws to close down after-hours clubs that threaten the safety of residents;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Liquor Licence Board of Ontario revoke the liquor licence granted to Tae's International Restaurant and Nite Club located at 2915A Dufferin Street; and

"(2) That Premier Bob Rae and all members of the Legislature move to pass legislation which would provide municipalities, police and the LLBO with the necessary authority to ensure that after-hours clubs are not a threat to the safety of residents."

#### TENANTS ON SOCIAL ASSISTANCE

**Mr Jim Wilson (Simcoe West):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas under the Family Benefits Act there is no authority to redirect funds from an allowance for failure to pay rent to a private landlord, it is possible for a recipient of benefits to refuse to pay rent, indeed to move to another location in the province and receive benefits as if nothing untoward had happened,

"I, the undersigned, petition the Legislative Assembly of Ontario to revise the Family Benefits Act to permit the garnishee of benefits of a recipient where the private landlord has been granted a Small Claims Court judgement against the recipient of benefits."

That is submitted to this assembly through me by Mr Alan Truscott of Collingwood, and I have signed that petition.

#### HAEMODIALYSIS

**Mr Randy R. Hope (Chatham-Kent):** I have a petition to the Legislative Assembly of Ontario. It's part of the 23,000 names that have been signed on petitions throughout the riding of Chatham-Kent.

"We, the undersigned, are petitioning the provincial government for a haemodialysis unit to be placed in one of Chatham's hospitals for the use of Chatham-Kent kidney patients. This will enable these patients to have their treatment in Chatham instead of travelling to London three times a week."

1600

#### LONG-TERM CARE REFORM

**Mr James J. Bradley (St Catharines):** This is addressed to the members of the Legislative Assembly of Ontario.

"Whereas Bill 173, the long-term care reform bill, if allowed to pass without necessary and appropriate amendments, will result in a lower level of service to consumers in the province; and

"Whereas the enactment of this legislation in its present form will increase the cost of the provision of care to the elderly and those in medical need; and

"Whereas the passage of Bill 173 will bring about a decrease in the number of volunteers available to organizations now directly involved in providing service in the field of long-term care; and

"Whereas local communities will lose control and influence over the delivery of long-term care services even though they are best able to determine local needs;

"Be it therefore resolved that the government of Ontario be requested to amend Bill 173 to comply with

the recommendations of service organizations who at present deliver home care to people in communities across Ontario."

I will affix my signature to this, as I agree with it.

**Mr Jim Wilson (Simcoe West):** A petition to the Legislative Assembly of Ontario:

"Whereas the Ontario government has given second reading to Bill 173, An Act respecting Long-Term Care, and clause-by-clause consideration of the bill;

"Whereas seniors and the disabled are entitled to accessible community-based care;

"Whereas we do not believe that Bill 173 will provide more cost-effective and accessible care;

"Whereas we, the undersigned, believe the government of Ontario must recognize and value the work of volunteers in this province;

"We, the undersigned, petition the Legislative Assembly of Ontario to ensure that amendments are made to Bill 173 to allow for provision of community care based on the needs of the local communities in Ontario and acknowledge the role of volunteers in the delivery of care."

That's signed from a number of people from Barrie and CFB Borden and people in the riding of Simcoe West, and I've also signed this petition.

#### FIREARMS SAFETY

**Ms Jenny Carter (Peterborough):** I have a petition to the Legislative Assembly of Ontario. The preamble has been read many times in this assembly, so I will go to the conclusion:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend your plans, grandfather responsible firearms owners and hunters, and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

This is signed by about 150 residents of my riding, Hastings-Peterborough, and a few other residents of Ontario.

#### SCHOOL FACILITIES

**Mr Steven Offer (Mississauga North):** I have a petition to the Parliament of Ontario and to the Minister of Education, and it is from concerned residents of Blessed Edith Stein Roman Catholic elementary school within the Dufferin-Peel Roman Catholic Separate School Board. It reads:

"Our school is located in a community which is undergoing rapid development. In three years we have grown from 550 students to 900, with 14 portables. Although funding for a new school has been approved, we understand the projected completion date is not for another three to four years. By then we will be in a crisis situation, with a conservative estimate of enrolment at 1,400 and 37 portables.

"This is unacceptable for an elementary school. Already problems caused by the congestion of 900 students, seven buses, five vans and two taxis are immense. In addition, we have 265 kindergarten students who for the most part are accompanied by approximately



200 parents every day with strollers. All are converging on the school within a 15-minute period.

"It is therefore that we, the undersigned, respectfully request that the construction of the new school, Lisgar 3-1, be expedited to alleviate the overcrowding at Blessed Edith Stein."

I wholeheartedly agree and affix my signature to this petition.

#### LONG-TERM CARE REFORM

**Mr Jim Wilson (Simcoe West):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas the Ontario government has given second reading to Bill 173, An Act respecting Long-Term Care, and clause-by-clause consideration of the bill;

"Whereas seniors and the disabled are entitled to accessible community-based care;

"Whereas we do not believe that Bill 173 will provide more cost-effective and accessible care;

"Whereas we, the undersigned, believe the government of Ontario must recognize and value the work of volunteers in this province;

"We, the undersigned, petition the Legislative Assembly of Ontario to ensure that amendments are made to Bill 173 to allow for provision of community care based on the needs of the local communities in Ontario and acknowledge the role of volunteers in the delivery of care."

That's sent to this assembly by residents of Clearview, Stayner, Collingwood, Washago, Clarksburg, Wasaga Beach, Coldwater and Elmvale, and I've signed this petition.

#### ANIMALS FOR RESEARCH

**Mr Larry O'Connor (Durham-York):** I've got a petition to the Parliament of Ontario. It reads:

"Whereas every year in North America animals are used in cruel, outdated tests for cosmetics and household products;

"Whereas these tests are not required by provincial or federal law;

"Whereas many non-animal alternative tests are available and are already in use by many companies;

"We, the undersigned, petition the Parliament of Ontario to pass into law a bill which prohibits the use of animals in cosmetic and household product testing."

I have affixed my signature as well to this petition in support of it.

#### HAILEYBURY JAIL

**Mr David Ramsay (Timiskaming):** My petition reads:

"Public safety should not be compromised.

"We, the undersigned, want to keep the Haileybury Jail operating at full capacity."

I've affixed my signature to this petition.

#### FIREARMS SAFETY

**Mr Michael A. Brown (Algoma-Manitoulin):** I have several petitions representing probably close to 1,000 people.

"To the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I have affixed my signature, and would note that Quebec and Manitoba have done this.

**Mr Jim Wilson (Simcoe West):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and require future first-time gun purchasers to take the new federal firearms safety course or examination."

That's signed by people from Coldwater, Waubushene, Moonstone, Brechin and Orillia, and I've also signed my name to this petition.

#### INTRODUCTION OF BILLS

##### POWER CORPORATION AMENDMENT ACT, 1994

##### LOI DE 1994 MODIFIANT LA LOI SUR LA SOCIÉTÉ DE L'ÉLECTRICITÉ

Mr Wildman moved first reading of the following bill:

Bill 185, An Act to amend the Power Corporation Act / Projet de loi 185, Loi modifiant la Loi sur la Société de l'électricité.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

**Hon Bud Wildman (Minister of Environment and Energy):** The bill provides a framework for municipal electrical power commissions to add to the areas that they service and to accept transfer of facilities and staff from Ontario Hydro with respect to the added areas. This will

permit a municipality to move towards one electricity supplier for the whole municipality. The process is triggered by a municipality passing a bylaw setting out new areas within its municipal boundaries to be serviced that are contiguous to an existing area supplied with power by the municipality's commission.

Generally, such a bylaw may be passed only once in a five-year period. Alternatively, if such a bylaw is not passed, the request may be made after six years. There are provisions dealing with the coming into force of these bylaws, appeals notices and hearings.

The act also changes the current provision that the chair of the corporation shall be the chief executive officer. Section 1 of the bill makes this change. Section 24 of the bill deals with the contributions to the pension and insurance fund. Section 2 of the bill provides for change in the contributions for 1994-95.

#### CORPORATIONS INFORMATION AMENDMENT ACT, 1994

#### LOI DE 1994 MODIFIANT LA LOI SUR LES RENSEIGNEMENTS EXIGÉS DES PERSONNES MORALES

Mr McClelland moved first reading of the following bill:

Bill 186, An Act to amend the Corporations Information Act / Projet de loi 186, Loi modifiant la Loi sur les renseignements exigés des personnes morales.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Carman McClelland (Brampton North):** Very briefly, the bill provides that corporations currently required to make annual returns under section 3.1 or special filings under section 6 of the current Corporations Information Act cannot be charged fees with respect to those filings, most notably the somewhat notorious \$50 annual filing fee. That is the intent of the bill.

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#### BUSINESS REGULATION REFORM ACT, 1994 LOI DE 1994 PORTANT RÉFORME DE LA RÉGLEMENTATION DES ENTREPRISES

Ms Churley moved first reading of the following bill:

Bill 187, An Act to reform the Law regulating Businesses / Projet de loi 187, Loi portant réforme du droit réglementant les entreprises.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** I made a statement in the House earlier today on the intent of this bill, so I'll simply say that this bill will facilitate, simplify and streamline the existing registration and reporting processes for businesses in Ontario, and I certainly urge all members in the House to support this very important bill.

#### ORDERS OF THE DAY 1994 ONTARIO BUDGET

Resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government (1994).

**The Deputy Speaker (Mr Gilles E. Morin):** I believe the last spokesperson was Mr Norm Jamison.

**Hon Ed Philip (Minister of Municipal Affairs):** Mr Speaker, I understand he'll be here momentarily. He was called out. If you want to change the rotation, he can speak after—

**The Deputy Speaker:** Unfortunately, Mr Jamison had already started. If the House agrees, we will wait for a few minutes. Is it agreed that we wait for a few minutes?

**Mrs Margaret Marland (Mississauga South):** On a point of order, Mr Speaker: Can you just explain what is going on? Had Mr Jamison started his debate?

**The Deputy Speaker:** That is exactly what I just said, that Mr Jamison had already started the debate. I asked if there was unanimous consent to wait for Mr Jamison for a few minutes and it was agreed upon. If Mr Jamison doesn't show up, we'll just continue the rotation. So just bear for a few minutes and we'll see what happens.

**Hon Mr Philip:** Stand it down for five minutes?

**The Deputy Speaker:** Would you agree to recess for five minutes?

*Interjection.*

**The Deputy Speaker:** Perhaps we'll come back to Mr Jamison, if the House agrees with that. Is there unanimous consent for that? So we'll proceed with Mr Callahan and then back to Mr Jamison after that. Agreed? Agreed.

**Mr Robert V. Callahan (Brampton South):** It's a pleasure to rise and participate in this debate. I had leaned over to my colleague and asked, "Are we debating the budget for 1994 or 1993?" It's been so long since we've been doing this that it's hard to recall. I try not to be partisan in these debates, but you often wonder if we're going to get another budget before the NDP is required to call the election. Perhaps that's the reason we're debating the budget of last April now, because it was a yawn budget and didn't—

**Interjection:** You've spoken before.

**Mr Callahan:** On this? I didn't. Well, it's been so long.

**The Deputy Speaker:** The table has just reported to me that you had already spoken, Mr Callahan. I was not aware of that. We apologize if we interrupted you, but I know you will understand. We'll come back to where we were at the beginning, and I would ask the member for Norfolk, Mr Jamison, to continue the debate.

**Mr Norm Jamison (Norfolk):** Thank you, Mr Speaker. My apologies to you for being out of place at the time I was supposed to rise, as I had a number of constituents here and was talking to them about certain issues.

I am pleased to have the opportunity to reflect back and continue the debate on our budget of last year. It's important, I think, to have had the opportunity to be given some breathing room since the introduction of the budget to really get a sense of how that budget actually is affecting our great province today.

In that budget presentation, the Treasurer made it clear that we have a plan. The plan is working and we are



going to stick to that plan. As we approach the end of this term, many people would think we may alter or change that plan. That's not the case. We're going to stick to the plan simply because it's working.

Before I go on further about the direct issues contained in the budget, I would like to take a few moments to reflect about the last four years, pertaining to the development of a budget year over year.

I can tell you that a strange thing occurred about four and a half years ago. That strange event happened one day when a government of this province, with 95 seats in the Legislature, with a clear mandate for five years of service to the people of Ontario, decided, seemingly on the spur of the moment, to call an election.

One thing that has been evident from that event, that particular point in time on through to today, is that that government knew something was coming. The question was out during that particular campaign simply about why an election would be called. Well, it would be called because that particular government knew that future budgets were not going to be an easy walk in the park. They knew that the budget of this province and the budgetary system of this province and the economy of this province were entering a time of great, great peril.

We've experienced now four years of what we call a recession, and if it weren't for our social programs and safety nets for people, I wouldn't hesitate to guess it might have been what I would say would have been a depression.

Budget after budget, governments are responsible to create an atmosphere where step-by-step measures are taken to ensure the future of the people of this province, to ensure that the standard of living and the services that most people want are kept.

1620

Jobs are being created, and they're being created today at a rate we haven't seen since 1988. The deficit is coming down. The Treasurer last week made it clear that we're going to be able to improve on our forecasts because the economy has picked up pace. It's really an improving scene out there.

As we sometimes do in this House, the rhetoric will fly from one side of the House to the other, and sometimes the facts are eluded because of that. It is a fact that of all the jobs now being created in Canada, 50% of those jobs are being created here in Ontario.

I would say that the headline we should be reading every day in this province at this point should read, "Ontario Is Leading the Way to Economic Recovery." It's not something that in a partisan way I would like to see, although I've been known to be partisan at times, but because it's simple, straightforward fact. Despite what some may want us to believe, that is what the news story of this year should be. All the statistics strongly support that statement. I find it surprising that we don't read that more often these days: success stories, increases in the number of new jobs, over a thousand jobs being created every day in this province, numbers that are higher here in Ontario than in any other jurisdiction in Canada—not a little bit higher, tremendously higher. I believe it's time

that this story be told, numbers pointing to the fact that we're leading the way—not following, but leading the way—numbers pointing to the fact that all of the indicators used by economists are pointing in the right direction.

Over the last eight months there have been 157,000 jobs created here in this province.

**Mr Larry O'Connor (Durham-York):** How many?

**Mr Jamison:** One hundred and fifty-seven thousand.

**Mr O'Connor:** Incredible.

**Mr Jamison:** I believe that is a tremendous record, and what do we hear from the opposition? We hear them trying to get rid of the programs we have created to provide partnership in this province, to drive job creation in this province and—

**Mrs Marland:** Mr Speaker, on a point of order: If this debate has any value to the people of Ontario, I think we might do them the honour of having a quorum present in the House, and I don't believe that is the case.

**The Deputy Speaker:** Is there a quorum? Would you please verify if there is a quorum?

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Deputy Speaker:** The member for Norfolk.

**Mr Jamison:** I was just indicating, and I want to stress again, 157,000 jobs over the last eight months. That's a really good job creation effort. But as I say, there are those in this House that would like to see the partnerships that we have formed as government between business, between labour, between the unemployed and employers simply go down the drain. I can tell you that's something I would think would have dire consequences in this province if that were to happen.

National employment was up 66,000 jobs; that's 66,000 more people working in September alone, following a gain of 22,000 in August. The Canadian unemployment rate declined to 10.1% in September, and Ontario's unemployment rate is 9.2%. Do you know what Quebec's unemployment rate is? It's 12.2%, and I believe a Liberal government just left office there, so I say again, rhetoric really runs well ahead of reality in this House.

Ontario's gross domestic product grew by 8.4% in the second quarter of this year. That's a tremendous effort. Auto sales and housing starts climbed in September. I believe that these are eye-opening facts. Quite clearly the Ontario government has taken on a proactive role in the economy with programs like Jobs Ontario. Small businesses have benefited.

Let me just look at small business for a second here. I believe that the real story needs to be told. The story on small business is that we have just today introduced Clearing the Path, making business people able to do business with government in a much simpler manner than ever before. And we have done it; no one else had taken the steps to do that.

Eliminating the employer health tax for new hires for

the first full year of hiring: We're the government that eliminated the employer health tax for the first year of hiring. Over across the floor we have the government that introduced the employer health tax. That's the fact.

We've reduced the taxes on small business to 9.5% from 10%. I believe other governments raised it. We've introduced real tangible tax credits for training; nothing that's flim-flam, but something that's there. You can see it the minute that you walk into the Jobs Ontario office, connecting employers with people who are unemployed. Yet we have seen in this House, we have experienced the anxiety of both opposition parties over the Jobs Ontario program because it's working.

With initiatives like these, we can say that's the reason why Ontario is leading this country out of recession—leading.

In my community alone there have been well in excess of 400 jobs created through Jobs Ontario. In my community, which happens to be a rural community, that means opening probably two small plants in my area. But it's the small business community that's driving, in the driver's seat, and working with us to create those jobs.

1630

Our government has developed a simple plan to create jobs, preserve services and live within our means in very tough times; no quick fixes, just substance. Many are not paying attention, and I can say it's obvious here today, when there is no one in the opposition benches. They just see tough decisions. Tough decisions are what this government has made day after day in tough times. Being a good, responsible government means making tough decisions, and I can tell you, we've made our fair share.

As I say, things are improving across the province. Just the other day I was talking to the economic development officer of the town of Tillsonburg, a wonderful, beautiful town in Norfolk. Its manufacturing is based on auto parts, and of course the tobacco issue is always alive and well there. I can tell you that the unemployment rate in Tillsonburg and area is 6%, and that's attributable by many measures to tough decisions, good decisions made by my government. If no one else will say it, I will say it.

I can tell you that there are 264 companies involved in Jobs Ontario Training in my area, and I can tell you that in the area of agriculture, this government has not taken a back seat to anyone or any government. Just today we talked about the establishment of the ethanol industry in Ontario. We have made commitments that talk about the future economic growth, not just in urban Ontario but in rural Ontario.

**Mr Alvin Curling (Scarborough North):** On a point of order, Mr Speaker: I've observed and listened carefully to the member making some comment and criticism of his budget, but there are not sufficient people in here. There's no quorum in the House. I'm appalled to know that.

**The Deputy Speaker:** Would you please verify if there is a quorum.

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Deputy Speaker:** The member for Norfolk.

**Mr Jamison:** The fact is, because our plan is working, because it's working and clearly creating more than 50% of all the new jobs in Canada today here in Ontario, it's driving the opposition up the wall. They are quick with their hollow criticisms, but when you go out and you talk to business people and they tell you Jobs Ontario Training is the most user-friendly and successful jobs program in this province and, for that matter, that this province has ever had, that's the proof.

I was talking about ethanol. Ethanol is a win for corn farmers.

**Mr Jim Wiseman (Durham West):** Do the federal Liberals support that?

**Mr Jamison:** The federal Liberals supported that in their so-called red book that's turned blue, but I can tell you that we've supported that initiative. We have given the tax exemptions, we have contributed moneys towards that, and I can tell you we're still waiting for the Liberals to get on board, although it was an election promise of theirs.

That means jobs for rural Ontario. I can tell you that when we look at the record and when we're looking at what's happening out there today, the confidence is alive and well in Ontario. How many years have I had to sit in this seat and listen to people talk about how confidence was being destroyed? Well, the figures don't say that, my friends; they don't.

I can tell you that housing starts are up in September. Consumer confidence is at its highest level in over five years. The number of people on social assistance has fallen now for the sixth straight month. Is that not a story worth telling? Is the economic story, the real economic story that's happening out there in this province today, not worth telling, or should we allow those people, those doom-and-gloomers over there, to win the day?

I don't know about you, but I'm here to try and build this province. I'm not here for my own particular purposes at election and re-election. I'm here to represent my constituents, whom I talk to almost every day. More and more of my constituents are saying: "Things are getting better. You've got the plan. Yes, I believe your plan is working, and I'm glad you have it." Other economic signs are out there. As I say, layoffs are down 19% so far in 1994. Unemployment insurance claims are down by a full 20%.

When we look at the so-called Common Sense Revolution, the Harris plan is something that most of us, the vast majority of us in this House, can't make head or tail of when it comes down to the bottom line. The bottom line is, how can you make those kinds of cuts and leave services in place? We are redesigning the system and making those particular ministries and those particular services work better than ever before. Others are talking about simply getting rid of them. I can't agree with that, nor will I.

When we look at the so-called revolution or the Harris



plan or the—I'd like to call it the governor's plan because it sounds like the governors of some of the states in the United States. Some of the Republican governors are almost echoed directly in that paper. In that statement he talks about balancing the operating budget within four years, cutting payroll taxes, reforming Ontario Hydro and eliminating red tape. Is that not what we're doing here?

It shows how well some of the opposition parties listen. They're very protective of their time to speak in this House. I wish they were as protective of their time to listen.

The Ontario government has also taken action over the last year to address welfare fraud. We're spending smarter. As I said, we are in the process of streamlining most of our government services.

1640

One thing I'll say about the revolution, whatever revolution he might be talking about, and that is that his plan is pretty vague and not specific; and depending on what group he might talk to, that group is given promises one way or another that it's not included. I believe that's significant in anyone's book.

But on our budget, because of the time that's elapsed since I last stood in this House and reserved time to speak on the budget, I believe there's no one who can justifiably argue that the budget isn't working. The budget is clearly working. It's creating jobs. We have also preserved services at the same time and we have brought the deficit figures down and continue to do so.

This is a budget that we can afford. This is a budget for people. It encourages investment and that, in turn, will encourage new jobs.

**Mr O'Connor:** No tax increases.

**Mr Jamison:** No tax increases. As a matter of fact, since that time, in my own particular riding we've reduced the taxes on tobacco.

**Mr Chris Stockwell (Etobicoke West):** Point of order, Mr Speaker: I think there should be a quorum to hear these flights of fantasy.

**The Acting Speaker (Mr Noble Villeneuve):** Is the honourable member asking for a quorum?

**Mr Stockwell:** Yes.

**The Acting Speaker:** Could you check to see if there is a quorum, please, clerk.

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** The honourable member may resume his participation in the debate.

**Mr Jamison:** No one can say that the recovery isn't under way and no one can say that we're not leading that recovery—no one. That recovery is taking place here. The facts are that 50% of all the jobs created in Canada are being created here in Ontario. That's a fact.

I can tell you that when the Treasurer spoke about his budget he said, "The time to hire is now." Why? No

employee health tax. That's a tax cut.

**Mr Stockwell:** No what?

**Mr Jamison:** No employer health tax, excuse me. That's a cut. I can tell you that no new taxes, reducing the taxes on small business to 9.5% and providing incentives to small business in the form of training dollars—up to \$10,000 in tax credits. If you take someone in, hire them and train them, we'll help you train them, and employers are ecstatic about that. They believe that's a terrific program and it's touted as being the best in Canada.

Operating expenditures, what government expends ministry to ministry to ministry: This is the first time in 50 years that a government has reduced its operating expenditures two years in a row, and we continue to reduce those expenditures. None of the other two parties can ever claim that—none.

This budget is about jobs. This budget is about this province taking a leadership role when we've been left alone by the federal government for years and we've been told, "You'll have to take less and less, but you're going to have to do more and more." We've taken them up on that and we are doing more and more.

Initially the Leader of the Opposition said, her own quote, "This budget is about results." Well, we're showing some results. We're showing some great results, as a matter of fact, and those results are making the opposition squirm because the people of Ontario are turning around and saying: "We are leading the way. We're coming out of this recession; Ontario is leading the way."

There have been calls for an election now, and those calls are sincere enough, I believe. They want an election now, the opposition parties, because they feel their chances are fading as time goes on because our plan is working. Jobs are being created and all of the things that I've said are fact.

The other opinion over there is that they're ready to devour us. They're ready to take us on in the next election. They're ready to swallow us whole. They're ready to eat us alive. If that would happen, and I don't think it will, those people would be the strangest people I've ever met.

**Mr Stockwell:** Why would they be strange?

**Mr Jamison:** You might say, "Why would they be strange?" Because they would have more brains in their belly than they have in their head, that's why.

I can tell you that this plan is working. The budget has worked for Ontario and there is no other story to be told.

**The Acting Speaker:** The member's time has expired. Questions or comments?

**Mr Gary Carr (Oakville South):** I'm pleased to respond a little bit to my friend the member for Norfolk. I spent some time down in his riding not too long ago, out at the fair down there, and I want to tell you, as I went out to people, they aren't thinking that things are going well. In the province of Ontario, what we've been doing over the last little while under the NDP is, anything that moved, we taxed it; if it still moved, we regulated it, and then ultimately, when it goes out of business, we turn around and subsidize it and take credit for helping.

This government has done more to destroy jobs than any other government across Canada. The job creation in Alberta is better. The job creation in Manitoba is better. The job creation in New Brunswick is better. This Premier has done more to kill jobs than any other Premier in the history of this province. We used to have 50% of the manufacturing capacity in the province of Ontario. That's slipping. Over the last little while, they have increased the debt now to \$9,000 for every man, woman and child, and this member stands up and says they're doing a good job. No thanks. If that's a good job, stop doing it.

I want to tell you that the great socialist experiment in the province of Ontario is drawing to a close. I don't think anybody realizes how badly this government is going to be beaten.

What we're doing with our program, the Common Sense Revolution, is saying: "Don't believe us. Don't believe the opposition. Don't believe the special-interest groups." What we're saying to the people of this province, very clearly, is: "Call 1-800-903-MIKE. Read the plan. Do the math yourself. Don't believe the special-interest groups. Read the plan, do the math and decide for yourself, because at the end of the day, there's only one plan that is going to restore hope, opportunity and prosperity and it's a plan by Mike Harris of the Ontario Progressive Conservatives."

**Mr Anthony Perruzza (Downsview):** I am not at all surprised that if a New Democratic government didn't raise taxes, the opposition would be upset by that. I am not surprised by that. I am not surprised that if an NDP government rolled back taxes and gave people a tax break, as we did in the last budget, the opposition is upset by that. I am not surprised that the Liberals are upset by that; I am not surprised by the fact that the Conservatives are upset by that, because we have their experiences before us.

The Liberals before us raised the sales tax. The Conservatives—they haven't been in power for a while, but we all know the Mulroney experience. We remember the Mulroney experience only too vividly. We have the GST. We pay it every day. Every day that we do something, we pay for that. We know that experience. We know the rhetoric of this booklet, the Mike phone number that you want everybody to call, because Mulroney did essentially the same thing.

I can tell you what our last budget is doing in my own riding. It's building the subway; it's extending the subway to Downsview station. It's building two new Seneca College campuses.

1650

It helped and it saved de Havilland. When the Liberals were ready to dismantle de Havilland, unemploy 3,000 people, get de Havilland out of the airline business, get it out of the way of Alenia and Aérospatiale as competition, this government came along and helped that and kept de Havilland alive. That's what this budget is doing in my riding.

**Mr Callahan:** I rose a little earlier to speak on this budget debate and the thing has been delayed so long

with the long delay that the NDP had in coming back to the Legislature that the table officer had to tell me I had already spoken on it.

In any event, I want to tell you that it's interesting listening to the member for Oakville, because he talks about the Common Sense Revolution.

**The Acting Speaker:** We are commenting on the member for Norfolk.

**Mr Callahan:** Oh, I see. All right. I didn't want to speak on his comments except to say that Mr Harris wants to balance the budget, and yet he's not going to touch 55% of existing spending. I don't know how he'll do it.

I was speaking to my insurance agent the other day and I understand that my good friend Floyd Laughren, the Treasurer, the Minister of Finance, just prior to his budget being released, which was days before, discovered that he was not going to be able to stay under that magic number of \$10 billion so the revenue authorities, sanctioned by the minister, came up with a marvellous scheme to put PST on our insurance premiums.

So all of you people who are watching, when you got your insurance bill, you can thank the last-minute attempt to try to keep the deficit below \$10 billion. PST was put on every insurance policy you've got. So every time you get your premium, remember that. That's compliments of Floyd Laughren and the NDP government.

Finally, I would say there's a lot said about Jobs Ontario and I want to relate to you something that was told to me by a constituent. This constituent had worked hard—he was an immigrant to Canada—to learn to be a welder. He got an opportunity to get a position out of Jobs Ontario and when he got down to the facility, they put him on a broom. He never got to weld the entire time he was there. He came to me and complained about it. He said, "The concern I had was I was going to lose the benefit of my experience." I said, "What did this company sell?" He said there was nothing on the shelves, so the only thing I conclude was that they were actually trafficking in Jobs Ontario \$10,000 grants by this government.

**The Acting Speaker:** We can accommodate one final participant.

**Mr Stockwell:** I enjoyed the comments made by the member for Norfolk. I think it's curious and certainly enlightening to see how the government will strategize and defend itself in the upcoming election. Clearly, this is an idea they're formulating, percolating within the caucus, with the deep thinkers in the Premier's office and in cabinet.

I understand it is difficult. They've had a difficult tenure as a government and the economic conditions have not been favourable, I will admit. The trouble that they're going to have with the people is I'm not very certain you're going to find a considerable majority of Ontarians standing before you and saying: "Yes, Mr Norfolk, you're right, it's turning around. Things are getting better. The prosperity is moving along." They do have six more months, and in those six months, surely, anything could happen. Yes, we could have hundreds of thousands of



people employed in the next six months and in fact everyone in Ontario could suffer from amnesia, but the likelihood, I think, is probably less than likely.

I would suggest to the member from Norfolk and the members opposite that maybe it would be better if they tried not to run on their record for the past four years because I think most Ontarians don't consider it to be one of perfect and exemplary fashion. I would offer my advice to the government on how I would campaign.

I would probably campaign by staying home as often as I could; when the election is called, heading off to Florida; asking the Premier not to attend the leaders' debates; if possible, even not putting out a brochure or handing out any literature or putting up a sign. I think the best thing you can hope for is that everyone forgets everything about you, everything about your government for four years, and walks into the polling booth.

You talk about Brian Mulroney's unpopularity. Do you realize that in the last federal election the federal Tories got 20% of the vote? You couldn't even beat the federal Tories if there were an election today. That's how unpopular you are.

**The Acting Speaker:** Thank you. The member's time has expired. The honourable member for Norfolk has two minutes in response.

**Mr Jamison:** I'd like to thank the members for Oakville South, Brampton South and Etobicoke West for their not so candid opinion.

To address the member for Oakville South first, he discounts many of the economic factors we had to deal with. One of the things we had to deal with directly was the impact of free trade and the branch plants in this province disappearing. That was caused by a federal Conservative government.

I can tell the member for Brampton South, when he talks about taxes, that we eliminated the tire tax, we have eliminated the employer health tax for new hires for the first year, we have reduced the tobacco tax, which is very important to my riding. Those are tax reductions, and I can tell you those are real facts, those aren't fictional stories that are told.

The member for Etobicoke West has to understand that regardless of what he says, Ontario is leading in job creation in this country today, and that is fact. His remarks about campaigning will only make the victory more sweet. It will only make the victory more sweet to return to this House and look across the floor and wonder where that member went.

I appreciate the time I've had today. Thank you, Mr Speaker, for the opportunity.

**The Acting Speaker:** I thank the honourable member for Norfolk. Further debate on the budget.

**Mr Curling:** I just want to make sure I'm speaking on the right budget. This is supposed to be the 1994 budget, but this government has delayed the process of conducting business here so long that here we are, about three months away from a new budget, and we are just getting an opportunity to comment on a budget that was presented almost nine months ago. It tells you somehow the way they're managing business.

**Ms Evelyn Gigantes (Ottawa Centre):** You can't count.

**Mr Curling:** The former Minister of Housing said I can't count. I presume she feels it is adequate time now to debate a budget they're supposed to have already spent, and here we are getting this opportunity.

I just want to put it in perspective. They had hoped this budget they're putting was a pre-election budget, and it hasn't really worked. They felt that here is a budget that's going to really put Ontario back into the stream of recovery, and it hasn't been so.

But I am still thankful for the fact that I get the opportunity to speak on this budget, regardless of how late the time it took for me to be here.

1700

One of the things we have to do with anyone who presents any kind of budget or any policy is to look at their credibility, whether they are someone you can really believe is putting out something you can believe in and that they're capable of carrying out the work they intend to do, that it's a plan. The credibility of this government has eroded so badly that it is very questionable. The people are asking right now, "When are we going to have an election?" They can't believe the stumbling of this government, the ineptitude of this government and its ministers, which have created some of the greatest chaos we have had in management in this province.

The principles this New Democratic Party said it held in the past have been changed. When they came in in 1990, or before they arrived as a government, they spoke about Sunday shopping and said they would never ever institute Sunday shopping because it's a family day and they would never have Sunday shopping in this province. Although most of the studies have shown that Ontario was receptive to the fact of shopping on Sundays, they said no way. But I don't have to tell you that history has shown they have changed their minds—their principles, not only their minds—and today this government has put in Sunday shopping as a part of its platform and agenda and part of its budget today.

Gambling: I don't know if you recall the days, Mr Speaker—you were here in the House—that many of them were in the House, the former Minister of Housing too, defending the fact that if gambling ever comes to this province, it will be on the backs of the poor if we have something like gambling in this province. What is it? This NDP government has introduced and today is applauding the fact of how much money they are making now on gambling to help pay the deficit.

Someone said earlier on today in the House: "I presume it's not on the backs of poor Canadians. It may be on the backs of poor Americans who come across the border to do the gambling." But sooner or later, of course, those who are looking at some way, some other avenue of acquiring income or opportunity of fortune, hoping they can do winning through gambling, will be going that way.

The point I'm making is that this NDP, which was so much against gambling, has today institutionalized gambling in the province of Ontario. Therefore, present-

ing a budget—for one to believe what they say they're going to do is quite questionable.

**Cabinet ministers:** Daily we could find cabinet ministers abusing their powers in here. Many of them have been kicked out of cabinet. Many of them have been chased out and had to leave cabinet because of the kinds of things they were doing, questionable behaviour by cabinet ministers, revealing—

*Interjections.*

**Mr Curling:** The former Minister of Labour feels I am sick to mention this. Fact: These cabinet ministers were abusing their powers regularly, and the pressure came to bear that they had to leave cabinet, even as recently as a couple of months ago.

A member of the Premier's office abusing the power had to be kicked out of his job too because of how he abused the power given to him. Ministers' staff: As recently as today there are questions about the conduct of ministers' staff.

So the credibility of this government has come to the point where, how can we ever look at a budget presented by these people and believe it's going to be a budget of recovery and bringing the economy back to where it was?

Let me just deal with where you speak about the former government, the Liberal government which I was a part of. We balanced the budget, the first time in 40 years a budget has ever been balanced and presented in this House. This government even tried to jimmy the books in a way to show us that the deficit is not as it will be. The auditors had to point out to them that that's not the way you do the books. We saw you doing little things here that did not give a proper account of how money is spent.

The fact is that when you're trying to criticize the previous government, just look at yourself. Don't even look too far. In the four years you have conducted this province, you have run this province down to the ground. They came in in 1990 and they thought they were going to spend their way out of this recession. We all agree that it was a time of recession hitting almost the entire world, especially North America and all across. That recession was here and we have to look very carefully at how we spend our money, but this government came in and said, "The only way that I can recover from a recession is to spend my way out of the recession."

You know, Mr Speaker, at home, the small pay or the amount of salary that you get, when you go home, you only can spend what you get. If things are going bad and the wife or the kids come in and say there are expenses that are climbing and there are greater needs, you will say to them: "This is what we have. We can only spend what we receive."

This government came into power and decided that the only way we could get out of that situation—the analogy that I draw to you, Mr Speaker, is to say you would have said to your family, "Let's spend some more, because if we spend more, we'll be out of this tight financial situation that we are in." How can you, in common sense, say to yourself, "I'm going to spend my way out of this recession"?

That is why we're in the worse situation that we are today. I give many of them over on that side credit to realize that after a year and a half, they said to themselves, "I think it's the wrong way we're going. We really can't spend more money than we have, because if we do that, we have to tax the people," which they have done. They have put more tax into this system in four years than any other government in this province, more taxes than we have ever seen. Because why? The wanton and careless way of spending the money in the first year has now created for them a situation where they have to come back to the people to ask them for more money.

I want to touch on a couple of issues here, and since the former Minister of Housing, the member for Ottawa Centre, is in the House, when she was the minister, let me just touch on housing a bit. Do you know that the government of Ontario is the second-largest landlord in North America? I would even go as far as to say I think they are the largest slum landlord in North America. The way these buildings are being kept, the manner in which they are being maintained and managed, is atrocious, and I encourage many of you here to go and visit some of those Ontario Housing places to see how terribly they have been maintained.

*Interjections.*

**Mr Curling:** I know I've touched a corn over there, Mr Speaker.

**The Acting Speaker:** Order, please. Members will have an opportunity for questions later.

**Mr Curling:** These buildings, where the tenants are saying, "Please fix the elevators," there is over \$200 million of work to be done. Then this new minister who has taken on this Housing came out with this wonderful report and said: "Guess what? We really recognize it's been bad and we're going to do something." They poured \$5 million into a \$200-million-odd cost that's supposed to have rectified some of the terrible conditions of this housing, \$5 million to fix the elevators.

They are telling you there are cockroach-infested buildings there. They are telling you the garages down there are not working. They're telling you the paint on the place and the landscaping is awful. They're telling you that you are a slum landlord: Fix it.

1710

I'm telling you that the fact is that many of them would look and say, "I will not fix it. Do you know why? Because when you were in power, you didn't fix it." So the tenant sits there and says: "You mean it won't be fixed? Why are you not fixing the housing?" "Well, the previous government did not fix it so we're not fixing it." That's the kind of argument they are giving there.

The people, the tenants under this government—

**Hon Mike Farnan (Minister of Transportation):** What did you do when you were Minister of Housing?

**Mr Curling:** It looks like I have touched a nerve here, Mr Speaker.

**The Acting Speaker:** Order. This is not the time for questions. Questions will come later.

**Mr Curling:** The tenants that you have are complain-



ing. They're saying that the place is not fit for them to live in and you must fix it. If these were in the private sector, you would have come down so heavy on the landlord to have it done. Your buildings are worse off than the private sector's. You should be ashamed of yourselves that you conduct yourselves as landlords in this province. Clean up your act first before you start dumping on the private sector.

I'm appalled to know that some of my constituents and many of the constituents south of me in many of the Scarborough ridings—I see the members here—are complaining terribly. The other day, Mr Speaker—I wish I had an opportunity to invite you, but they did not invite me—do you know that the members of Scarborough NDP called a meeting at the Scarborough Town Centre to talk to the tenants? The next Friday people were coming to me at my constituency office and saying they wouldn't answer their questions. They were shouted at by the minister; they were insulted by the minister. Here are people calling—they know it's election time—the people together to ask about their concerns, and when they asked their concerns and they could not address them, they were insulted and sent away. Shame on you.

**Hon Bob Huget (Minister without Portfolio in Economic Development and Trade):** Were you there?

**Mr Curling:** I was not there at that meeting and neither was I invited. When this government came into power, they did call a meeting together, and when I went to the meeting, these same government members here turned me away and my colleague the member for Oriole also was turned away from a meeting.

Your government, your NDP members there, when they call those meetings, we would not be allowed to come. Members of Parliament, myself and my colleague from Oriole, were not allowed in the meeting. Don't ask me why I didn't come to your meeting. The fact is, even when I come I'm turned away, and when tenants come they're shouted at and pushed away. Again, you should be ashamed of yourselves and the things you're doing.

Let me just address another aspect of this budget, the Ontario Human Rights Commission. Let me talk about that. Let me go personally to the minister. I'm so disillusioned by what this minister is doing. The backlog, the waiting for people's cases to be heard is just awful, and I've checked it out. It's not because of the bureaucrats or the civil servants or the officers there not working diligently. They're working very hard.

What has happened is that sufficient funding is not given to these members in order to carry out their work. But what this government does is that it likes to get legislation without even the democratic process. They like to have legislation and they build big bureaucracies. Basically, do you know what we want in this province regardless? I speak to all members here and all parties. We don't need new legislation; we need enforcement. We don't need to start again and say, "Let's have a new commission here, another commission there," because what it does is create large bureaucracies. What we need is enforcement of the legislation that we have in place, not having new legislation.

The Human Rights Commission has a minister who I

feel lacks the kind of commitment and the understanding of the issues that are before many of the officers there. The resources they have are so lacking that many of them are just flooded. People are waiting two, three, four, five years to have their concern heard or so that justice could be administered properly. You know the old saying, "Justice delayed is justice denied." It's pathetic, because most of the people who go before the Human Rights Commission are those who have been taken advantage of.

The fact is, they come before a commission hoping that their case could be heard readily so justice could be done. To wait five years? It's atrocious.

The commitment by this minister is one that I question very much. Lots of money in the last couple of years has been given out to many groups in order for them to of course say they want to address some of the issues there. The minister herself criticized some of those groups recently, that she can't understand that these moneys are being given out to groups to fight racism. I would say to the minister—

**Mr Stockwell:** On a point of order, Mr Speaker: Could we get a quorum, please?

**The Acting Speaker:** Could the clerk check to see if a quorum is present?

**Clerk Assistant and Clerk of Committees:** Speaker, a quorum is not present.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** The member for Scarborough North may resume his participation in the debate.

**Mr Curling:** You know, I'm a very understanding man. I know why the members of the government are not here and there is not a quorum: They can't take the truth. The fact is that I want you to be here to listen to this, because whether you like it or not, you will hear it, because I'm telling you what the constituents out there are saying. I'm telling you that they're saying that their issues for human rights are not being addressed because your government, your colleagues, have not funded those officers and the commission properly, not at all.

*Interjections.*

**Mr Tony Ruprecht (Parkdale):** You've touched a nerve, Alvin. You've touched a nerve here.

**Mr Curling:** The fact is, as my colleague said, that they don't want to hear it. I've touched this nerve, and let me just address that since the member raised the fact.

I voted against a bill, what they call employment equity, that cannot achieve the equity that we're talking about, and that's why I voted against that bill. I am strongly supportive of employment equity, but the fact is that—

*Interjections.*

**Mr Kimble Sutherland (Oxford):** This is garbage.

**The Acting Speaker:** Order, please. This is not the time for questions or comments. The time to have that is after the member's participation. The member for Scarborough North.

**Mr Curling:** It's a time for learning. Listen. It's a time for learning.

When we speak about equity, we're talking about our employment equity, we're talking about identifying systemic barriers and removing those barriers. We talk about not using seniority as one of those barriers that is so sacred that you have negotiated that seniority will be a part of equity. It cannot be. Those are the inequities and systemic barriers that our employment equity can't move away.

But the fact is that what you all have done is not brought about an equitable system of employment. Equity is not about banning people by putting advertisements in the paper that say white males may not apply. Equity is about moving barriers and asking everyone, systemic barriers. Now, remove those barriers, all may participate and apply for the job—not saying that white males may not apply because we want to have a level playing field.

The fact is that we know employment equity is not about retribution. It's not about retribution at all. It's about getting fairness into a system, but you don't know how to go about this. You have bogged up the system so badly that you're making a very adversarial situation and people are fighting like hell to even get their cases heard—not putting one person against the other.

1720

Let me talk about the young people, the youth, who have been neglected so badly by this government; this government which has completely wiped out OSAP loans, which has raised tuition fees for these people who want an education. This government in its budget has not made any provision for the young people. You should be ashamed of yourselves. Give hope to the young people.

Do you know what it costs? I said earlier on that a 23-year-old leaving university will have a debt of \$20,000 to start life with. This government, which had promised to wipe out tuition fees, what has it done? They've wiped out the loan aspect of OSAP and increased tuition fees, and completely shattered the hopes of the young people by putting a big tag on them.

*Interjections.*

**Mr Curling:** So I've rattled the cages.

They go around with little stickers called Jobs Ontario. If Bob Rae takes a taxi and gives a \$2 tip to the taxi driver, he says "That's Jobs Ontario." He walks around on Sunday to all these places at different times with cheques in his pocket and then says to them, "Here is so and so; Jobs Ontario." The taxpayers' money. I think it is so vulgar to do that. The fact is that you collect people's taxes, you put programs in place and you then send the money out. Stop walking around with cheques in your pockets and say, "Jobs Ontario." Stop going around and tipping people and saying, "I just gave \$5 here; Jobs Ontario." We want real jobs.

As a matter of fact, the government goes about like it is going to create jobs. It's businesses that create jobs. Government must put the environment—get laws and policies to encourage businesses to create jobs. Don't go around dropping cheques and saying, "I just created some jobs." It is businesses that create jobs, not government.

*Interjections.*

**The Acting Speaker (Ms Margaret H. Harrington):** I would ask members to take their opportunity to comment at the end of the member's speech.

**Mr Curling:** Madam Speaker, the honourable members across the floor find my debate so interesting, they can't wait to participate.

I'm saying to you, stop doing that. Jobs Ontario, as my colleague states, is not to give somebody a job by giving them a broom and paying them and saying, "I have just created a job." Stop giving out money to businesses. Stop it.

**Ms Christel Haeck (St Catharines-Brock):** You did it all the time. We had an \$8-billion deficit because of it.

**The Acting Speaker:** Would the member for St Catharines-Brock come to order.

**Mr Curling:** What we should do is to find policies with which to stimulate the economy to give jobs, not this puff-pocket aspect of going around with all these little cheques in their pockets, passing out cheques and then saying to people, "I've created jobs."

Let me go back to the young people, because these are the ones who are going to suffer more than anyone else. It's not only that they're going to be in debt. Our young people here, I don't want to really let them feel so depressed, but the fact is, can you imagine at that age that a couple of years later they're going to be in so much debt, and they sat here while we did all of that, making legislation to create debts upon them.

One of the greatest investments we have is our young people, and the greatest way to invest in our young people is through education. What has this government done? They have put a big pricetag on the young people for education, a big tag. Most of the young people who are in community colleges today have gone through university with a \$20,000 debt and go on to find something to do, and you brag about doing something for our young people. You have done such a disservice to our young people.

I say to the young people out there, the nine-year-olds and the 10-year-olds and the 12-year-olds who are watching now, tell your mom and dad that the cause of the problem today is this government, this New Democratic Party government that has no direction, is spinning its wheels in all kinds of ways, spending money in many fashions they don't even understand, shocked to know they are in government.

And who pays the cost? The young people of today, our old people of tomorrow, will be paying for those debts. This government has been in shock that it is ruling and has been governing—complete incompetence.

They shuffled their cabinet hoping they could find some sort of talent. I don't want to make comment about the talent within their caucus, but the fact is that even although they shuffled around they still didn't come up with anything at all that would give us hope. What they have done is a political game, just a political game, I presume giving a little payday to some other people, or a political game that it's election time and the constituency will be fooled by the fact that they're going to call



this one "honourable" now for four months. But they will see through all of that. They will realize that though you're a minister—

**Hon Floyd Laughren (Deputy Premier and Minister of Finance):** Where is Patti Starr today? Where did Patti Starr go?

**Mr Curling:** That's not your style. What they will do—

**Ms Haeck:** But he's got a very good memory. He's got to go back and correct your statement.

**Mr Curling:** I've really rattled the cages over there.

This budget brings no hope for the people of Ontario. The only hope we have, as I said, is that there are only a couple more months left. The beautiful thing of democracy is that what they will do is assess the record of what this government has done, and it won't be difficult, it will not be difficult at all. They will know that this government has put this province in such a bad state, worse off, although accepting the fact that it was a recessionary time. Any government would have had a difficult time, but they have made it worse.

The next government that comes into power here, which we know will not be the New Democratic Party—and let me say this too: This commonsense Mike we're talking about, the 1-800 number, will not do anything to improve that.

I see the province not looking to their government to insult native people. The Liberal Party says all people in this province play an important role, not that some are lazy and some can work. It would be people using their common sense, knowing they could never have the old Mike who's shouting around that the native people are lazy so therefore they're not able to work. Is that the kind of Premier we want? No.

I know that Lyn McLeod, coming into the next election, running this province will have credibility, integrity, a sense of direction. The colleagues in our caucus are people who are quite capable. I'm sure the people of the province of Ontario will see through all that and will elect a government that can manage this province, badly mismanaged as it was at this time. I have hope and I want to say to the young people that there is hope, because there will be a new government by next May, if he calls it, that will govern this province properly.

1730

**The Acting Speaker:** Now we have time for questions or comments by the members.

**Mr Stockwell:** I'd like to take an opportunity to comment on the Liberal record. Mr Curling, the member from Scarborough, seems to have forgotten to remind the voters of the Liberal record of 1985 to 1990.

There was an election in 1990 and there was much comment made on the Liberal record, and that comment revolved around taxes and tax hikes. It revolved around the fact that you applied billions of dollars of debt to our provincial treasury when the economy was running at high speed.

There's much talk about the fact that you concocted

this balanced budget plan that in fact wasn't balanced, and that when the NDP came to power you were calling for a surplus of \$23 million, was it, and in the end there was billions of dollars in shortfall.

It really isn't surprising. Of course, it's tough to be a Liberal. It is tough. It's tough to straddle the fence and keep both ears to the ground, I know, but that's what it means to be a Liberal. They refuse to take a position on anything. Suddenly we now have the fiscal management, financial Liberals in front of us, the same ones who frittered away billions of dollars, billions of dollars in potential and in growth.

Mr Curling stands here and starts extolling the virtues of the same old gang. I looked at their nominated candidates the other day. They're back, they're all back. The message never got through in 1990. Rather than rejuvenating the party and renewing policy, they're nominating the same tired crowd and they bring forward the same tired policy. No direction, no thoughtful process.

When you talk about education, what does Lyn McLeod say? "I believe in good public education." Well, Lyn, who doesn't believe in good public education? What do you believe in besides that?

Mr Curling, I think you should give your head a shake. I'd like to hear a few more policies other than just that you're a wonderful guy.

**Hon Mr Laughren:** I find the atmosphere irresistible and I cannot resist the temptation to get into the debate, because the member for Scarborough North went on at great length about how wonderful their government was and how bad ours was. I hope that when the member for Scarborough North winds up, he'll just answer a very simple question: Why did you lose?

I've been searching my mind as you launch attacks against the government—which is your job; I appreciate that, I've got no problem with that. But what's always missing in the analysis from the official opposition is why they themselves lost. Could it possibly have been just a tinge of arrogance in the administration, the arrogance of calling an election because they were ahead in the polls? With not even three years in their mandate they called an election.

Could it be possible that today, when the leader of the official opposition sports a button that says "Premier Lyn," that could be just a tinge of arrogance as well, that before the people of this province have spoken, she's decided she's Premier Lyn? I really wonder if the official opposition has thought the whole thing through.

Let's be fair about the fiscal side. For two years in a row, the Liberals said there was in one case a surplus and in the other case a very small deficit. In both cases you were dead wrong. When I hear the official opposition commenting on our sets of books, I went back and checked their sets of books, and their deficit would have been \$1 billion higher one year and \$5 billion higher the next year. That's surely not integrity in government.

**Mr Ruprecht:** I want to thank the member for Scarborough North for his comments, but I find it irresistible to also comment about the comments that were made—

**The Acting Speaker:** The member is out of order. You must be in your seat to speak in this House. I will allow you the courtesy—

**Mr Ruprecht:** Sorry. It was quite interesting what the member for Etobicoke West said. Look at him over there right now. Look at him just having a great time. But the point surely is this: It makes no sense to finger-point about who is at fault, saying the NDP is at fault with this policy and the Conservatives are at fault with this policy. The public is sick and tired of finger-pointing because finger-pointing does not solve any problems.

Sitting here listening to the member for Scarborough North, I'm sitting here listening very carefully, and I'm simply ashamed about what takes place in this Legislature. You people in the NDP are shouting. We've got the member for Etobicoke West; he can't be constrained at all. I'm just utterly amazed at what's taking place here. Everybody's pointing fingers.

What should be the matter of discussion is very simple, and that is, where are the real jobs? That's what we want to know. What about the debt and what about the shell-shocked system that you suddenly found yourself to be in government?

The major point is simply this: Is it not true that our young people, as the member for Scarborough North indicated, are going to have to pay the debt that you are putting on their backs? That is really regrettable.

**Mr David Turnbull (York Mills):** In listening to the Liberal's comment, the member for Scarborough North, as to what an excellent government they were and how wretched the current government is, he seems to be suffering from amnesia, as has been pointed out by more than one member.

The Treasurer has just pointed out the fact that had the restated government accounts been in place, they would have not had a so-called surplus of \$90 million; they would have had a \$1-billion deficit. But even within those numbers, the interesting thing was that the year in which they supposedly showed a surplus, they had budgeted a deficit of \$550 million.

They got an unusual transfer from the federal government of \$880 million. Simple math would suggest that they should have had \$330 million surplus on that basis, but they didn't. In fact they claimed they had a surplus of \$90 million. So even using their own accounting methods, they did a lousy job because they spent more than they budgeted, and it was just a fluke that that money came from the federal government. But now we hear, with the restated government accounts, that they were \$1 billion in the hole.

So let's not forget, folks, every government in this province for the last 20 years has done a lousy job. They have spent more money than they've taken in and it's time for us all to give ourselves a little bit of a shake and say, "Let's get down to some common sense and let's introduce methods in this government that will allow us to have balanced budgets so we don't burden our children."

The Liberals did a lousy job in this province. They left a mess and the NDP came in during the worst possible

times. They've done everything wrong but you can't blame them for everything. There was a worldwide recession and the Liberals left a mess.

**The Acting Speaker:** I thank the member for York Mills for his comments. Now we have two minutes for the member for Scarborough North to respond.

**Mr Curling:** Let me just comment quickly on the Tories. The Tories don't even know who they are. At one time they looked like Mulroney over there; now they want to be a Preston Manning. They don't know what they are. No matter what they are, people will see who they are. That's Preston Manning in disguise. If they take off whatever mask they've got on, that's the Preston Manning, kind of right-wing, who insults most of the disadvantaged people in our province, and the people will vote accordingly. So don't lecture me about Liberals in that sense.

Let me just address the Treasurer. It was very nice of him to have come in and then talk about our credibility about reporting. Let me read to you, Madam Speaker, because I know he's going to read my Hansard when it's true. I didn't say this. This is the very high road, high as I can go.

The Provincial Auditor gave a qualified opinion on the province's books for the year ending March 31, 1993, and the auditor said, "Our general concern is that legislators and the public are not now being provided the financial information required to help them understand and assess the financial position and results of the operations of the government."

He expressed serious concern that they were hiding some of the deficit under some kind of creative accounting. This is what the government of the day was doing: hiding the deficit under some creative accounting. So don't lecture me about that. That's the Treasurer who should have been here. The auditors told him, "You better start coming clean and showing where the deficit is." So let us make sure, we don't need a lecture from them, because the auditors would never write a report like that about us.

1740

**The Acting Speaker:** The member's time has expired. Further debate? The member for Oakville South.

**Mr Carr:** I'll be fairly brief, but I do want to get on the record on a couple of things on the 1994 budget. If you were to sum up what we're talking about doing, we're going to cut spending, we're going to cut taxes and we're going to create jobs. We're going to look at a five-point plan to cut spending, we're going to cut taxes, we're going to cut the barriers to job creation, investment and growth, we're going to cut the size of government and we're going to balance the Ontario budget in four years.

Quite frankly, if you look at the situation right now, the reason we need to cut taxes is because in 1985 we had a 10% tax advantage over Quebec. We were rated very competitive versus West Germany and Japan and the surrounding United States. Today, as we sit here, we are the highest-taxed province in Canada, the highest-taxed jurisdiction in all of North America.



I say to the members on the other side what that means: Higher taxes mean fewer jobs; lower taxes will mean more jobs. That's why we're going to reduce the provincial income tax rate by 30%. For the average household making \$50,000, that will be a saving of \$4,000. The tax cuts are \$4 billion.

The spending cuts are \$6 billion, and I'd like to go through them. We're going to reduce the MPPs: \$1.1 million. We're going to eliminate the MPPs' pension plan: \$10 million. We're going to reduce welfare: \$750 million. All told, it's \$6 billion that we're going to cut. We're going to cut the barriers to job creation. We're going to eliminate the employer health payroll tax. We're going to eliminate the WCB premiums by 5%, and yes, we're going to kill Bill 40, the job-killing labour legislation.

We're going to allow the private sector back into day care, because the private sector that does the job faster, better, cheaper and at no expense to the taxpayer has been thwarted, penalized and shut out under this government, and we wonder why the jobs are leaving. We have outlined clearly \$6 billion in cuts that can and must be made to put us back on the road to prosperity.

The deficit now is \$90 billion. That doesn't include the \$12-billion unfunded liability at WCB; that doesn't include the \$35 billion. If you look at it, the \$90 billion works out to \$9,000 for every man, woman and child, and that doesn't include the federal deficit, which is about \$15,000 for every man, woman and child. If you combine the federal and provincial deficits, each of us owes over \$25,000, every man, woman and child. As somebody who's married with three kids, what we owe to the provincial and the federal government as a family is more than we have as a mortgage.

We have said for years that you can't continue to tax, spend and borrow like there's no tomorrow. We could have played the games. There was a very real possibility Mike Harris would have become Premier of this province by being the lesser of three evils. We all know Bob Rae is not going to be elected. We all know the Liberals don't stand for anything and don't have any policy. The reason we came out very clearly with a policy is because not only do we want to win the next election, and we do, but we also want a mandate for change. That's why we've outlined what we've outlined very clearly.

We're saying to people: "Don't listen to us. Don't listen to the special-interest groups. Read the plan yourself." Do the math, add up the figures like I've done. You go through cutting the Jobs Ontario program, \$340 million; cutting the grants and subsidies to businesses will be about \$200 million; eliminating non-profit housing, \$250 million; reforming legal aid, \$130 million; dealing with the welfare fraud, \$500 million; cutting the welfare, which right now is 30% higher than anywhere else in any other jurisdiction. We take the seniors and disabled out of the welfare system. We reduce the benefits for everybody else by approximately 20%. That will save us \$1 billion with a "b."

What we have done is outline very clearly what we would do as we form the government. It's going to cut spending, cut taxes and create jobs. When you look at it

and you look at my riding, the people are saying, "We are overtaxed." Quite frankly, we've been overtaxing, we've been overspending, we've been overgoverning, we've been overregulating, we've been overlegislating and we've been oversimplistic in our whole approach to public policy for far too long. Our long-term economic, social and fiscal planning has been sacrificed for political expediency.

So that's why we've outlined it: \$6 billion in cuts to spending, \$4 billion—I want to be very clear, because people get a little confused with the 30% personal income tax rate cut and the 20% non-priority spending. We've outlined them on pages 8 to 14, what the spending cuts will be. The spending cuts are \$6 billion, and we're going to take that \$6 billion and refund \$4 billion of it back to the taxpayers of the province. The tax rate will make us the lowest income tax rate in Canada, marginally better than Alberta, and it will take us back to tax levels not seen since 1976.

If we were spending at 1985 levels, adjusted for inflation, we should be spending about \$25 billion in 1985. Right now we're at \$55 billion. What we've done is, it's almost like spending \$55 billion each and every year when you're only bringing in \$45 billion, or it's equal to somebody who's making \$45,000 a year spending \$55,000 a year: \$10 billion, and that deficit keeps going up each day.

Very clearly, what we need to do is cut spending, cut taxes and create jobs. And we're outlining our plan a year before the election, which no other government has done—no other political party has done that—because we want the people to know where we stand.

We've done it on education, our New Directions on education. We've done it with our Blueprint for Learning and our crime, justice and community safety. All told, if you narrow it down, what we are proposing to do is, we're going to cut spending, cut taxes and create jobs.

I want to tell you what the chief economist at Midland Walwyn says:

"This plan will work. The Mike Harris plan to cut personal income tax rates by 30% and non-priority services spending by 20% will give Ontario a balanced budget within four years, and create more than 725,000 new jobs."

As I go around this province as a critic for Economic Development and Trade, I want to tell you, people are upset, they are concerned, they are frustrated and they are angry. They are mad at politicians who don't stand up and tell it like it is. They're mad because the average person who goes out and does their job and works hard falls farther and farther behind.

When I look at what's happened over the last little while, the special-interest groups are the ones that are carrying the agenda. They're the ones that are calling the shots, and I say we need to cut spending, cut taxes and create jobs.

All of the things we are talking about aren't a wish list or a collection of empty political promises. They're a concrete plan based on four years of study, analysis and consultation. We have listened, we understand, and now

we're prepared to act. And we've laid that program out: \$6 billion that we hope the government will look to in terms of reducing spending, because this government believes that we have a revenue problem.

We do not have a revenue problem in the province of Ontario; we have a spending problem, and we have a problem because we don't have a government that has the political courage to stand up and tell it like it is, to make the hard choices and to tell the people of this province exactly what they're going to do. Our plan does that. We lay it out very clearly. We're going to cut spending, cut taxes and create jobs.

I know the member for Etobicoke West wants to get up and speak as well so I'll conclude. But I want to be very clear: What we are proposing is a five-point plan that is going to restore hope, opportunity and prosperity to a hurting generation of Canadians and of people in Ontario by getting them out of food banks and back on the job. If you look at the programs that we're initiating here, we hope the government will take some of the programs that we're announcing and announced a year ago and implement them. We know they won't.

As the great socialist experiment in the province of Ontario comes to a close, we're saying to the people, "Take a look at our plan, weigh the alternatives, look at what this Premier has done to the province and make the decision for yourself," because the next vote is going to be very critical. If we're going to return prosperity and hope and opportunity, we must act now.

This is going to be the final chance to do that, and we're hoping that the people will, as the new minister says, take a look at the plan. People are doing that and reading it. The comments are very good. Even the cabinet ministers are reading it. I saw the Minister of Agriculture reading it. We kiddingly say that he doesn't even read the cabinet documents, but he's still reading our book, and that's a good thing.

We're going to be out there selling our program day in, day out. We're going to take on the special-interest groups, we're going to take on all the vested interests and we're going to take it directly to the people, because we believe at the end of the day the hope, the opportunity and the prosperity are going to be returned by one plan, by one party. That's Mike Harris and the Ontario Conservative Party. At the end of the day, I honestly, truly believe we are going to be able to restore the hope and opportunity that I had the pleasure of growing up in.

It is the plan of our party that will do that. We're asking the public to listen to us and to vote for us in the next election.

1750

**The Acting Speaker:** Now we have time for questions or comments. I recognize the member for Downsview.

**Mr Perruzza:** Very briefly, in responding to some of the comments, the fact is—and the honourable member would recognize this when he looks at the budget. I know he'd recognize it because I heard the speech, the script, so many times before and that's the script out there for the public.

But he knows that in our budget health care costs are increasing for the first time since the inception of the program at less than the rate of inflation. That's a fact. When you look at this budget, there are no new tax increases. There are no tax increases there; in fact, there are tax breaks. When you look at this budget, what you see as a cornerstone of the budget are jobs.

They'll come along and say, "Well, government doesn't create jobs." The reality is that government sustains very directly, in a very direct way in the province of Ontario, just the provincial government, about 950,000 jobs. That's about 20% of the entire Ontario workforce. That's how many people in this province work for the government.

If they think, Madam Speaker, for one minute that if this government hadn't taken some of the tough decisions it's taken that roughly the same number of people would be working to provide all of the services that are provided across the province of Ontario, they're sadly mistaken. Maybe there are some things we can do. Maybe we need to streamline government more, and we have been doing that in a systematic and a very consistent way. But to listen to that over and over again really does them an injustice.

**The Acting Speaker:** The member's time has expired. Further questions or comments?

**Mr Callahan:** I should be standing up and blasting the New Democratic Party government, but they're toast, so I won't bother. But I do find it interesting that the Conservative—what is it? Common Sense? Is that what it's called?

You know, the things they're saying are admirable. They say they're going to balance the budget within four years, and yet Mike Harris says he's not going to touch 55% of existing spending. I'm not a math wizard, but I don't know how you can do that without cutting spending.

**Mr Carr:** Read the book.

**Mr Callahan:** "Read the book," he says. The book is something that I think says nice things, but unless it's got magic in the back cover, I don't know how they're going to accomplish it.

He promises to cut personal income tax—that's admirable as well; I would endorse that—and yet he says he'd get rid of the health care tax. You can't cut one thing and expect to have revenues cut and not get it someplace else.

He's cutting personal taxes by \$4 billion. That's beautiful. I would endorse that; any reasonable person would. However, he's getting rid of the LCBO, which they did in Alberta and which was a disaster. Another \$600 million in government revenues will be lost as a result of that. He's promising to pay the WCB about \$100 million a year, which is great too because it's an unfunded liability.

But I just have to say to the commonsense party that all the things you promise are marvellous, but they don't add up. I think the people of this province are smart enough to know that you make these promises and you can't keep them.



Maybe it's just going to be one shot at this, but I think the time has come when old-world politics are gone, you sit down and realistically speak of things, and I think that's exactly what my leader is doing. She's talking about things that make sense and can be done. A 5% cut over five years: that's realistic.

**The Acting Speaker:** The member's time has expired. Further questions or comments?

**Mr Stockwell:** I'd like to compliment the member for Oakville South. I think the member has clearly outlined, in the few brief moments he had to speak to the budget, the policies and the directions that this party that we both belong to is prepared to take. I'm not going to suggest that these are popular in all corners of the province, in all segments. There are special-interest groups and specially aligned sorts who will oppose some of the recommendations that we bring forward.

The member from Brampton, I'm not really certain what he was driving at with respect to the magicness of it all. I mean, the numbers are there; they're clear. It says we are going to reduce welfare payments by 30%. That's very clear, and that's a huge cut. We have outlined \$6 billion in reductions. I understand some people are not going to like that. We've talked about thousands and thousands of public service layoffs. Those are important policy initiatives we have taken that we think are necessary. We're waiting for yours, and when we see them, if we do, we'll be able to comment on them at the time. I'm very interested to hear them.

The member for Downsview attacks the member for Oakville South—and you see, this is the problem. The member for Downsview seems to take great pride in the 950,000 people who are employed in the broader public sector in the province, saying 20% of the workforce.

When you add in the federal workforce in the province and the municipal workforce in the province, what you find is there are more people working for the government than there are working in the private sector. You have to have people in the private sector who pay taxes, create wealth, to pay those people in the public sector. There are too many people working for government, and to this day, my friend from Downsview, who hasn't learned yet but will, the people think you have too many public service employees.

**The Acting Speaker:** The member's time has expired. Further questions or comments?

**Mr Sutherland:** I'm pleased to participate in this. Let me just say that the member for Oakville in his speech is clearly demonstrating how out of touch he is. He's saying it's all doom and gloom, that no jobs are being created. Ontario is leading the country in job creation. We're leading the country in economic growth. We're leading the country in job training. We have the best, the most cost-effective job training program.

They talk about, "We want training programs," in the Common Sense Revolution. The Liberals talk about it. What are their programs? We've got one that's working very effectively, Jobs Ontario Training, giving people real jobs, average wage \$21,000, giving them paycheques. What do the Tories suggest? Twenty years ago, workfare.

You see, because the Tories believe everyone who's on social assistance is either a cheat or a lazy bum. They make that assumption.

**Mr Stockwell:** Mr Speaker, on point of order: I would ask that the member—

**The Acting Speaker:** Just a moment. A point of order.

**Mr Stockwell:** I would ask the member to withdraw the comment, the suggestion, that what the Tories believe is that anyone who is on welfare is a lazy bum or a cheat. Never has that been suggested by this party, and any inference—

**The Acting Speaker:** That is not a point of order.

**Mr Stockwell:** That is a point of order. That's an aspersion cast on myself and the other members in this caucus. It cannot be attributed and—

**The Acting Speaker:** Would the member take his seat, please.

*Interjections.*

**The Acting Speaker:** Order. I would like to have the member for Oxford continue briefly.

**Mr Sutherland:** The reason I raised that, of course, is because of the comments made by the leader of the third party that he wants to fingerprint everyone on welfare. If that isn't an assumption that somehow they think these people are all trying to cheat the system and we have to fingerprint them, I don't know what is.

**Mr Stockwell:** Point of order.

**Mr Sutherland:** Jobs are being created. People are getting back to work. We're maintaining the services. The plan is working.

**Mr Stockwell:** You're allowing that comment to stand?

**The Acting Speaker:** Order.

**Mr Bob Mackenzie (Hamilton East):** Are you the new Speaker of the House?

**Mr Stockwell:** I am asking the Speaker.

**The Acting Speaker:** I have just ruled.

**Mr Stockwell:** "Cheats and lazy bums." You're allowing that to stand?

**Mr Turnbull:** That's disgraceful.

**Mr Stockwell:** Bloody right it's disgraceful.

**The Acting Speaker:** Order.

**Mr Stockwell:** That's exactly what he said.

*Interjections.*

**Mr Turnbull:** That is disgraceful. You are not doing your job unless you ask him to withdraw.

**Mr Derek Fletcher (Guelph):** Give her some respect.

**Mr Stockwell:** Come on, when did we say cheats and lazy bums meant everybody on welfare? That's bloody absurd.

**The Acting Speaker:** Order.

**Mr Turnbull:** You have a responsibility.

**Mr Sutherland:** Why do they need to be fingerprinted?

**Mr Stockwell:** It's your government that said they

should be fingerprinted. It's your minister who brought it up.

1800

**The Acting Speaker:** Order. I will allow Mr Carr to proceed with his two-minute conclusion.

**Mr Turnbull:** That is ridiculous. That is outrageous.

**Mr Carr:** You know, this government is trying to—

**Mr Turnbull:** You are not doing your job. That is absolutely outrageous.

**Mr Carr:** —talk about what's going on.

*Interjection.*

**Mr Carr:** What we said about the welfare system in the province—

*Interjection.*

**The Acting Speaker:** To the member for York Mills, I have clearly stated my position.

**Mr Turnbull:** Your position is—

**The Acting Speaker:** Order.

*Interjection.*

**The Acting Speaker:** The member for York Mills, come to order. If the member will not come to order, I have warned him and I will have to name the member. I have asked that the member from Oakville—

*Interjections.*

**The Acting Speaker:** Order. I have asked that we have order so the member from Oakville may make his reply.

**Mr Stockwell:** On a point of order, Madam Speaker: The new member of the cabinet, I might add, who is also from Sarnia, has just suggested that the point the member for Oxford said about all people on welfare and has attributed to us as being cheats or lazy bums has just said that he forgot to say he meant David, being the member for York Mills. He attributed the same comments to the member for York Mills. That is imputing motive and that should be withdrawn.

**The Acting Speaker:** That is not a point of order.

**Mr Turnbull:** It is a point of order.

**Mr Stockwell:** He can say anything.

**Mr Turnbull:** When you're in the chair you allow anything from these people. This is disgraceful.

**The Acting Speaker:** Mr David Turnbull, the member for York Mills, I name the member and I ask the member to leave.

*Interjections.*

*Mr Turnbull left the chamber.*

**The Acting Speaker:** Mr Carr, would you continue.

**Mr Carr:** What we have said about the welfare system is unlike the other side, who cut the welfare rates and sat over there with all their self-styled, self-serving sensitivity, assigning the blame. You were the people who cut the rates to the most vulnerable, the disabled, when you were in power.

What we're doing is saying we're going to take them off the welfare system, protect the rates. What we're saying about the welfare system is that the system is bad,

it's wrong and we're going to change it. You people got in there and said, "We care more," and what you judged everything on was the number of people on welfare. We're going to judge people on the number of people we get off welfare, out of the food banks and back on the job. That's the difference between us.

You people trying to take credit for the economy getting better is like the rooster trying to take credit for the dawn coming up in the morning. You people have done more to destroy this province economically, politically and socially than any other government in the history of this province.

As the member for Downsview says, and I think he hit the nail on the head talking about the number of employees here, the problem in the province of Ontario is that government is too big, too expensive and too intrusive in our lives. It spends too much, it taxes too much and it regulates too much. What our program is going to do, for the people who are in elementary math, we're going to cut the taxes by \$4 billion, we're going to cut spending by \$6 billion—

**Mr Perruzza:** Name them. Come on. Who are you going to cut?

**The Acting Speaker:** Order. The member for Downsview, come to order.

**Mr Carr:** —and we're going to create more than 725,000 private sector jobs.

As socialism in the province of Ontario comes to its close and as Bob Rae heads off into the sunset—Chairman Rae, as we call him—the people of this province are going to reward you for what you have done over the last four years: the kids of the province running up the deficit. You know, they say that Christmas is a time when parents give something to their children and children get something for nothing. Deficits are when the children of this province end up paying for what our parents are doing, and you people have destroyed the children of this province.

**The Acting Speaker:** The member's time has expired.

**Mr Carr:** We're not going to let you forget it and we're going to turn this province around when you have the guts to call the next election.

**Mr Sutherland:** On a point of order, Madam Speaker: I did not mean to say that the third party had used those exact words. If I implied that they had actually stated those words, I withdraw my comments.

**The Acting Speaker:** Thank you.

Now we have the Minister of Transportation with the business for next week.

#### BUSINESS OF THE HOUSE

**Hon Mike Farnan (Minister of Transportation):** Pursuant to standing order 55, I wish to indicate the business of the House for the week of November 14.

I will also take this opportunity to remind the House that, pursuant to standing order 6(a), the House will not meet next week in order that members may return to their ridings to attend to constituency concerns.

The House business for Monday, November 14, is still under discussion between the three House leaders and



will be announced at a later date.

On Tuesday, November 15, we will commence with second reading consideration of Bill 187, the Business Regulation Reform Act.

On Wednesday, November 16, we will consider an opposition day motion standing in the name of Mr Harris.

In the morning of Thursday, November 17, during private members' public business, we will consider ballot item number 69, standing in the name of Mr Brown, and ballot item number 70, standing in the name of Mr Waters. On Thursday afternoon, we will continue our second reading consideration of Bill 187, the Business Regulation Reform Act.

**The Acting Speaker (Ms Margaret H. Harrington):** Pursuant to standing order 34, the question that this House do now adjourn is deemed to have been made.

#### JOB SECURITY

**The Acting Speaker (Ms Margaret H. Harrington):** The member for Simcoe West has given notice of his dissatisfaction with the answer to a question given November 1 by the Minister of Labour. The member has up to five minutes to debate the matter and the minister may reply for up to five minutes.

**Mr Jim Wilson (Simcoe West):** Indeed I did ask a question of the Minister of Labour on November 1, two days ago, and indicated to the minister that I wanted to know what the NDP government's plan was to save the rail lines in Simcoe county. At that time, I had mentioned that the Midland to Orillia, Bradford to Washago and Collingwood to Barrie rail lines are featured prominently on CN Rail's list of abandonments.

In addition to the first part of the question I asked, my colleague the member for Wellington, Ted Arnott, pointed out that also the rail line from Stratford to Harriston and from Harriston north to the Bruce Energy Centre in Tiverton is slated to be abandoned, or at least there will be an application put before the National Transportation Agency in Ottawa for abandonment of that rail line.

This issue goes back to a little over a year ago. On October 15, 1993, I wrote to the Honourable Frances Lankin, Minister of Economic Development and Trade, and the Honourable Bob Rae, Premier of the province, and I asked them to take an active role in finding a solution so that private investors would be able to easily come in and to take over these rail lines that CN had applied to abandon.

It has been a very long and frustrating fight with this government. The problem has been very clearly—and it's not just my party saying this, or other parties; it's the private entrepreneurs who at one time had an interest in taking over these rail lines, in acquiring these rail lines that are to be abandoned by our national railway system—Bill 40 and the successor provisions of that bill.

I think the NDP thought they were doing the workers of this province a favour when they "plugged a hole" in our previous Labour Relations Act. Bill 40 not only reinstated the successor provisions between Ontario companies upon the sale and transfer of Ontario companies but also "plugged a hole," at least in the NDP's

mind, about the transfer of those companies held under federal statute, such as CN Rail. Therefore, as a result of Bill 40, any private entrepreneur in Ontario who wants to buy a rail line and to run a successful rail operation under the successor rights of Bill 40 is required to take on the employees, and their collective agreements, who worked for CN.

Now, the problem is that at the time we started into this issue, CN had 17 collective agreements for about eight employees on the Collingwood to Barrie line. Any entrepreneur wanting to come along and run that small line as a private business and run it as a feeder line into the main north-south lines in that part of the province, in my part of the province, was impeded from doing so and from projecting any idea of profitability at all because of these very expensive collective agreements for essentially a very small number of employees.

#### 1810

I introduced a private member's bill in this Legislature which would not gut Bill 40 but simply ask that that provision of Bill 40 which was different from the previous Labour Relations Act prior to the Bill 40 amendments—would bring us back to that section of the act that existed prior to Bill 40. I very clearly and politely asked this Legislature to admit that a mistake had been made. I don't even care, for political reasons, whether they admit a mistake was made, but in honesty they should admit the mistake had been made and amend their own legislation to allow private entrepreneurs to come in and to take over those lines.

That's in the best interests of the people. At the end of the day, what's happening now is that those lines are being abandoned, nobody's working on them, and in Collingwood alone 2,000 jobs are at stake. I have two major companies, Canadian Mist and NACAN, who have said they will have to very much question their investment in our province if they no longer have access to rail transportation which is currently giving them a competitive edge in North America. At Canadian Mist, over 80% of the whisky produced there is shipped to the United States. It's a success under free trade. It must be done by rail to be economically feasible.

To have not taken any action during the last year other than a whole series of meetings, that we hear about from time to time, is a mark of shame on this government. It's a serious issue, and I would like to hear, as I said in my original question, what the government's immediate response is to this serious issue.

**The Acting Speaker:** The Minister of Labour now has up to five minutes to respond.

**Hon Shirley Coppen (Minister of Labour):** I am pleased to take this opportunity to put on record the steps this government has taken to preserve rail service in this province. I must say right off the top that I find the rhetoric from both the opposition parties on this issue a little hard to take. They express great concern about rail service, yet when they have controlled the crown corporation in Ottawa responsible for half the railway service in this country, the shallowness of their concern is evident.

Let's get some facts right here on the table. This

government is not abandoning rail service to communities. CN is. This government is not threatening northern communities with complete isolation with the threatened closing of the northern lines. CN is doing this. This government is not trying to rip up the transportation infrastructure in this province. CN is.

CN has one shareholder, and that shareholder is the federal government, and it is the federal government, be it Tory or Liberal, that is coming in and ripping up parts of this country's and this province's infrastructure. It is very convenient for CN and for its political masters to try to pass the blame on to this province, to try to say that because of successor rights rail service is being threatened. Rail service is threatened because there is not now, nor was there when the Tories were in power, the political will to ensure continued rail service anywhere in this country east of Manitoba.

That said, I would like to point out what my colleague the Minister of Economic Development and Trade and the caring member for Simcoe Centre have taken on this issue.

There are three areas to the strategy my colleague has embarked upon. First, in consultation with other ministries, we have canvassed the affected shippers as well as the communities to determine the impact of abandoned rail service. This is a considerable exercise, given that CN and CP are planning to eliminate major amounts of tracks here in Ontario. We have assessed what alternatives to rail exist and what the current shipping needs of businesses are.

Second, we have found potential investors for these lines. Ontario has taken that leadership in the absence of federal leadership. Investors have made onsite inspections, analysed the present and potential traffic, and have expressed interest to CN about buying a few of these lines. It should be pointed out that CN, as the seller of the asset, will make the final determination as to who will acquire the asset.

Third, we spoke to the unions. I know the Tories in particular have a hard time with that one, but we feel any responsible government would want to talk to all the parties involved. We found that the unions are willing to work for a solution. If the Tories were in charge, there would be no need to talk to the workers: They would simply wipe out all their rights. They would call that their commonsense approach. We would call it irresponsible.

On September 8, the Minister of Economic Development and Trade met with three of the major national rail unions. All of them are willing to negotiate a new, single collective agreement with a short-line operator. That story isn't being told by the opposition. This position was confirmed both in writing and by sitting down together to negotiate with an investor interested in purchasing a southwestern line here in Ontario. In fact, just one week ago, one of the unions indicated agreement in principle to a draft collective agreement on this line.

In northern Ontario, the Graham subdivision between Thunder Bay and Sioux Lookout has at least one interested investor, which also has been told by the unions that they are ready to sit down and discuss the terms of a new single agreement. Most of the lines that CN and CP are considering abandoning are in fact not economically viable.

But I think the most important thing is that we as a government are working with the investors. We're working with the unions. The unions are prepared, whether it be Bill 40 in this country or not—it's the best thing that ever happened and they want to work with business.

**The Acting Speaker:** There being no further business to debate, I deem the motion to adjourn to be carried. This House stands adjourned until 1:30 on Monday afternoon, November 14.

*The House adjourned at 1817.*

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**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Monday 14 November 1994

# Journal des débats (Hansard)

Lundi 14 novembre 1994

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers

*50th anniversary*

**1944–1994**

*50<sup>e</sup> anniversaire*



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 14 November 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 14 novembre 1994

*The House met at 1332.*

*Prayers.*

## MEMBERS' STATEMENTS POLISH CANADIANS

**Mr Tony Ruprecht (Parkdale):** As the Lieutenant Governor was recounting the sacrifices that were made by our merchant marine, which were up to today not fully recognized, I wish to focus our attention on the sacrifices of Polish Canadians, whose contributions to the war effort against fascism and Communism were also very much unrecognized.

This week, the Polish Canadian Congress and the Polish Combatants Association are commemorating a number of important events such as the battles of Monte Cassino, Falaise, the Warsaw uprising and Arnhem. The total casualties at Monte Cassino alone were 4,290 officers and men before the mountain was taken.

Today, I know that every member in this Parliament will join me in paying tribute to a brave people and a courageous nation who kept on fighting until both Communism and fascism were defeated.

As the Polish Canadian Congress and the Polish Combatants Association are celebrating their 50th founding anniversary, we wish them Godspeed and thank them for the tremendous contribution to the building of this nation, a free and prosperous Canada.

## INTERNATIONAL PLOWING MATCH

**Mr Leo Jordan (Lanark-Renfrew):** I rise to commend the International Plowing Match Committee of Renfrew county, made up of 32 subcommittees and over 1,200 hardworking volunteers, for a job well done. Opening day attendance was the highest recorded in 20 years, and in total, 130,000 people came through the gates. The tented city spanned an area equivalent to 42 city blocks, and the match covered 1,000 acres of farm land.

All walks of life were represented at the match, including our many ethnic groups, first nations, and the Canadian armed forces. The chairman of the match, Fred Blackstein, has received numerous calls from all over the province reporting that this was the best match ever. Exit surveys indicate that 97% of our guests would definitely come again.

As a result of the International Plowing Match, eastern Ontario is solidly on the map as a good place to visit and a good place to do business. In addition, the county now has a surplus of half a million dollars to be allocated to a charitable project in the upper Ottawa Valley.

Finally, I would thank traffic Sergeant Mike Quilty, of OPP division 10 in Perth, for his excellent coordination of traffic control at the match. I would also like to mention that Mike Quilty is the son of Leonard Quilty, who was elected MPP for Renfrew South in 1962.

JOHN CAMPBELL

**Ms Christel Haeck (St Catharines-Brock):** It is with sadness that I inform the members of the House today of the passing of Mr John Campbell, founding chairman of the Niagara region. He died last week at his home in Niagara-on-the-Lake.

Mr Campbell was appointed by the province in 1969 to oversee the implementation of regional government in Niagara. This was a daunting task involving the realignment of almost 30 municipalities into the 12 communities which make up Niagara today.

Some called Mr Campbell a miracle man for pulling off this feat. His colleagues described him as more of a statesman than a politician. He had political savvy and resolved problems by working behind the scenes.

During his 16 years as chairman, Mr Campbell never missed a single council meeting. He made his mark on the region and, upon retiring in 1985, the regional headquarters was named in his honour.

Outside of politics, Mr Campbell was active in the Masonic Lodge and Royal Arch Masons and owned a fruit farm and dairy business. In his latter years, Mr Campbell spent his days in the town of Niagara-on-the-Lake. He was often seen walking the streets of the old town with his collie, greeting neighbours, friends and passers-by.

I would like to convey my personal condolences to Mr Campbell's wife, Mary, and his children, Donald, Ellwyn and Ellen.

The region of Niagara has indeed lost one of its greatest politicians.

## ADVOCACY AND GUARDIANSHIP

**Mrs Elinor Caplan (Orillia):** This afternoon, the first order of the day is the continued second reading debate on Bill 175, the huge omnibus legislation which the government says is non-controversial and simply house-keeping.

During my opportunity for debate in second reading of Bill 175, I discussed the sections relating to the Advocacy Act. My caucus and I believe that these sections are controversial and we know we are not alone.

Over the weekend, Mona Winberg, columnist for the Toronto Sun, wrote a column which speaks volumes. In her article, Ms Winberg states how, "With a complete disregard for the wishes of the people involved, the new and controversial Ontario Advocacy Commission will be taking over the Psychiatric Patient Advocate Office."

One area Ms Winberg writes of relates to youth, "The advocacy legislation is limited to people 16 years of age and up, but the PPAO program has a broader mandate—it serves adolescent wards in two hospitals."



She continues, "In one incident, an advocate was alerted that an 11-year-old boy had been placed in the same ward as an adult sex offender. Because the advocate acted speedily, the situation was quickly rectified." The Advocacy Commission as it is now constituted would not be able to act in that situation.

Ms Winberg concludes, "The Ontario NDP has betrayed the trust of disabled people and seniors by the arrogant manner in which it has handled the commission."

I ask them to bring forward amendments to delete these portions from Bill 175.

#### HIGHWAY SIGNS

**Mrs Elizabeth Witmer (Waterloo North):** On June 30, the Minister of Culture, Tourism and Recreation announced a program to boost tourism which included the installation of highway signs to direct tourists to points of interest in St Jacobs, Muskoka and the Brockville-Cornwall corridor.

These signs were scheduled to be erected in July and August, and after the conclusion of this pilot project in late October, an evaluation of the project was to take place to see if the signage had been successful in attracting tourists off the main highways and into local communities.

When the minister announced this project, I was extremely pleased that St Jacobs was selected to be part of this important initiative, since I had worked with Woolwich council and other local business people in requesting such signage. Since that time, my initial enthusiasm for this project has been dampened by the fact that these signs have not yet been installed. The explanation given is that the province has experienced difficulties in locating a printer. Furthermore, the smaller trailblazing signs which were supposedly ready to be installed have also been delayed and are not there.

My question is, when will these signs be installed? They are important to the tourism industry in my community and I urge the Minister of Transportation and the Minister of Culture, Tourism and Recreation to take immediate action to make sure these signs are installed.

1340

#### MERCHANT NAVY

**Mr Gordon Mills (Durham East):** I think it fitting on the day we have installed the Merchant Navy Book of Remembrance in the Ontario Legislative Building to pay tribute to Canada's wartime merchant navy, which has sometimes been overlooked.

During the First World War, merchant ships quickly became the target of enemy surface raiders, and by April 1915, 54 Allied merchant ships had been sunk. By 1917, 1,220 had been sunk. Unfortunately, there's no record of the number of merchant mariners who served on the high seas during the Great War, but it is known that 573 of them died.

In August 1939, the Royal Canadian Navy took control of all merchant ships. Merchant mariners were not compelled to sail, but an estimated 12,000 of them did. Some 1,357 Canadian merchant navy men were killed in action in the Second World War. Had the Axis powers

won the Battle of the Atlantic and prevented supplies and reinforcements from being delivered to Great Britain, the world would be a very different place today.

The importance of the merchant navy is undeniable. Without them, I, like you, shudder to think at the kind of world we would all be living in today. As we have remembered the fallen on our Armistice Day service, let us take time today to remember the merchant navy members who also contributed so much that we are able to enjoy the freedom we all share in today.

#### JUSTICE SYSTEM

**Ms Dianne Poole (Eglinton):** Last month, members of the Legislature were horrified to read in the Toronto Star the story of a girl we shall call Elizabeth. Two years ago, Elizabeth, a 17-year-old mentally disabled girl, was sexually assaulted by three teenage boys at her high school.

Despite a confession by one of the perpetrators and the evidence of an independent eyewitness to the assault, the case dragged through the courts for more than two years, involving 50 court appearances, numerous defence motions seeking, among other things, to examine the complainant's sexual history or lack thereof, and repeated adjournments and delays.

But the case was not over when the three accused were finally convicted. Then one of the three defence lawyers filed notice of appeal. That means more court appearances and an emotional nightmare that this young girl is not equipped to handle.

We have to ask the question, is the criminal justice system out of control? Too many of us feel that Priscilla de Villiers is absolutely right when she says, "All the rights and protections are for the accused."

Elizabeth's case also demonstrates the vulnerability of young women with disabilities. Research has shown that they are at least twice as likely to be victims of sexual assault as the general population.

Justice delayed is justice denied. We cannot continue to trample on the rights of victims by subjecting them to this travesty of justice. We call on the Attorney General to ensure that what happened to Elizabeth never happens again.

#### FLEMINGDON HEALTH CENTRE

**Mr David Johnson (Don Mills):** The Flemingdon Health Centre in the riding of Don Mills will soon be celebrating its 20th anniversary. The centre grew out of a belief by a group of concerned people at Sunnybrook Medical Centre, in consultation with local residents and agency representatives, that there was an urgent need for comprehensive health care services in the area.

For most of its history, the Flemingdon Health Centre has operated as a health service organization, providing a wide array of medical and non-medical services all under one roof. Since its beginning, an elected board of directors from the community has governed its operations, providing a unique opportunity for community members to become involved in its own health care.

Community outreach is an integral part of the centre's philosophy, as it operates two seniors' health clinics in Thorncliffe Park and Flemingdon Park, as well as playing

a leadership role in bringing local agencies together to collectively address health issues.

In 1990, the centre converted to a community health centre, with a mandate to improve the health of its community residents by emphasizing health promotion and disease prevention.

In 1995, the Flemington Health Centre will celebrate 20 years of dedication and service to the community, and I know that all members will join with me in wishing the centre more decades of successful community care.

#### JOB CREATION

**Mr Len Wood (Cochrane North):** I would like to talk a little bit about job creation in the province and how our jobs and capital programs have helped to improve our economy. At the end of this fiscal year we will have created over 700,000 jobs in the infrastructure sector. The unemployment rate is now at its lowest level in three years and I think it is an incredible achievement for our government.

New jobs have not just come about by someone waving a magic wand. Many new policies and changes have had to be strategically planned so that the challenges of any particular day could be met. To save and create jobs we have had to put money into capital, infrastructure programs, training and the information highway. We have had to build partnerships sector by sector with aerospace, plastics, apparel, services and information. We have had to build a positive climate with the private sector. This has paid off. It is projected that businesses plan to increase their investment spending in Ontario by 9.6% this year alone.

The entire health care system was out of control when we took office. We have streamlined it by using our tax dollars more wisely and yet still have maintained our much-needed services. We have reduced administrative overlay and reformed programs in almost all government ministries. Forty thousand jobs were saved through the social contract. Together, these achievements have led to an enormous decline in the number of persons collecting social assistance. Last month alone, total caseloads declined by a full 1.1%.

Of course, we can't forget about northern Ontario, holding one of our most important economic resources. Eight hundred jobs were saved at Spruce Falls Inc through the employee ownership plan; 190 direct jobs and 143 other jobs at Proboard. Over 600 jobs were rescued at Provincial Papers and, most recently, St Marys Paper was saved.

#### VISITORS

**Mr Jim Wilson (Simcoe West):** I rise on a point of privilege, Mr Speaker. I want to inform the House that it's indeed a privilege for me to welcome members of my family here today, who were unable to make it in the gallery, which is why it's a point of privilege: my great-uncles and -aunts, Dr John K. Wilson of St Michael's Hospital and his wife, Patricia Wilson; Mr Patrick Wilson; Mr Tom Wilson; Sister Pauline Wilson of the Loretto sisters; and my mother and father, Mr and Mrs Jack Wilson. I would ask all members to welcome them to the Legislature.

**The Speaker (Hon David Warner):** It is now time for oral questions.

**Mr James J. Bradley (St Catharines):** I have a question of you, first of all, Mr Speaker. Our understanding is that the Minister of Health is here and we are ready to ask a question of the Minister of Health. Are you aware whether the Minister of Health is here?

**The Speaker:** The member for St Catharines will know that I would be delighted to be able to assist him if I could. I am not aware of which ministers will or will not be present. Perhaps the government House leader will be of some assistance here.

**Hon Brian A. Charlton (Government House Leader):** Mr Speaker, she's on her way. She'll be here in a few moments. If we can defer her question to the second question, we could—

**The Speaker:** Yes. If you have a second question to place, it would be appropriate to start the clock over and the member for St Catharines can place his question.

**Mr Bradley:** Thank you very much, Mr Speaker. That's very kind of you.

1350

#### ORAL QUESTIONS

##### COMPENSATION FOR VICTIMS OF CRIME

**Mr James J. Bradley (St Catharines):** I have a question for the Attorney General and, in the absence of the Attorney General, I will direct it to the Deputy Premier of the province.

On Thursday of last week Judge Patrick LeSage agreed to the request of the defence attorney for Paul Bernardo that there should be a change of venue for the trial; in other words, that the trial should be moved out of St Catharines. That's the trial of the accused on the murders of Kristen French and Leslie Mahaffy.

That trial is going to be moved outside of the Niagara region, outside of St Catharines, to another location in the province. This decision, as the Deputy Premier will know, will have a very significant financial impact on both of those families. It'll cost them considerable money to be able to travel out of the city for accommodation and for other purposes.

Will the Deputy Premier, who is also, I suppose, the Minister of Finance and therefore may have some knowledge in this field, give an undertaking to compensate the families of Kristen French and Leslie Mahaffy for the considerable personal costs that will result from moving the trial from St Catharines?

**Hon Floyd Laughren (Deputy Premier and Minister of Finance):** I appreciate the question of the member for St Catharines. I quite frankly don't know what precedent would be set if this was done. Second, I'm not sure about the role of the Criminal Injuries Compensation Board in this regard and to what extent that's within its purview or whether it would be outside the normal bounds of its jurisdiction. I hope that the member for St Catharines will give me time to discuss this matter with the Attorney General and indeed with people who know more about this issue than I.

**Mr Bradley:** I'm certain that all members who are in



this Legislature are knowledgeable of this particular case and can imagine the emotional anguish that the French family and the Mahaffy family are feeling at this time and have felt for some period of time. I know that all of us would believe that no amount of money could compensate for that emotional anguish which is being felt.

We can, however, I believe, as legislators, in some way or other find a way to help them meet the substantial financial costs that are being incurred. Some of them have already been incurred; some of them will be future costs as a result of the movement of the trial, costs for such things as transportation, accommodation and perhaps even loss of income.

Will the Deputy Premier consider compensation beyond that which is available under the somewhat strict limitations of the Criminal Injuries Compensation Board?

**Hon Mr Laughren:** Certainly I will make sure that we do take a look at that entire issue. I don't want to either endorse this suggestion out of hand or reject it out of hand until I've had a chance to look at it and discuss it with others.

**Mr Bradley:** I mentioned in one of the original questions that the families of the victims of crime, if they wish to attend a trial, are often in a position of having to take time off work, particularly if the trial is moved to another city which is substantially farther away from what they might expect normally within a city or within a region. I know that witnesses are compensated—not very much, but they are compensated—for the loss of wages that they happen to incur.

Would the minister, when he is addressing this matter with the Attorney General, ask as well of the Attorney General that she give consideration to compensation not only for the transportation and accommodation and other incidental costs but also potential compensation for the loss of wages and salaries that may be incurred by those families?

**Hon Mr Laughren:** The member does raise matters of some considerable substance and ones that I think should be dealt with and considered by the government. I will give that undertaking to him and report back to him at the earliest possible opportunity.

#### LONG-TERM-CARE REFORM

**Mrs Barbara Sullivan (Halton Centre):** My question is to the Minister of Health. Minister, today the Canadian Association of Retired Persons, which has a membership of some 90,000 senior citizens in Ontario, held a news conference to underline the need for change to Bill 173, which is your long-term-care bill. CARP said, and I'd like to quote from its presentation:

"As currently envisaged, MSAs would represent an additional level of administration and bureaucracy. We do not believe that MSAs should be both the administrators of the system and the service providers. This will give MSAs an effective monopoly which is not in the interests of the citizens who may require services. Our concern is that an unhappy senior citizen will neither be able to change to another service provider nor effectively complain about the services rendered by an MSA. If the MSA is the only service provider, people will require a great

deal of courage to complain to them about the quality of their services."

Along with the 90,000 people who belong to CARP, we want to know why this government has locked itself into a system that ensures that senior citizens will not be able to make their own decisions about who provides their care and to make changes when they themselves see fit.

**Hon Ruth Grier (Minister of Health):** I regret that some senior citizens characterize the long-term-care changes that we're making as an additional layer of bureaucracy. In fact, nothing could be further from the truth. The voluntary agencies which multiservice agencies are, whatever they end up being called, will be no different from many of the agencies that now deliver care in communities across this province. There are 1,200 of them.

The multiservice agencies, which are being planned by volunteers through the district health councils, will have a board of volunteers who will know the needs and the history and the culture of the communities they serve and who, by bringing together services under one agency, will in fact cut down on a great deal of bureaucracy and mean that a senior who has been getting a minimal level of care and now needs some extra care or some nursing care will not have to go through yet another assessment, another waiting period and a different agency, but will get all the service from one agency.

When the member says that this is a lack of choice, let me say to her that if a senior doesn't particularly like the board of the MSA from which they're being served, I'm sure in most communities they can go to another one. But let me also remind her that this is the product of extensive consultation, and consultation where seniors, through their alliance, Canadian Pensioners Concerned, United Senior Citizens of Canada, the Consumers' Association of Canada (Ontario), all said, "Please reorganize this system to make it more consumer focused," and that's in fact what we're doing.

**Mrs Sullivan:** What we've seen is a government that has misread what in fact were the results of those consultations, which called for a coordination of services and one-stop access but something quite different from what this government has put forward.

I want to go back to the Canadian Association of Retired Persons; 90,000 people belong to that organization in this province. They also pointed out, and are deeply concerned, that they believe that the family physician is "conspicuously absent," and those are the words they used, in the government's entire plan for long-term-care reform. They rightly say that there's no requirement for medical assessment, diagnosis or treatment under this government's plan and that without the appropriate clinical treatment and diagnostic services a person may end up with severe medical problems and in a more expensive long-term-care facility.

We'd like to know why this government is intent on keeping the family doctor out of the long-term-care process.

**Hon Mrs Grier:** This government has no intention of

keeping the family physician out of long-term care. It is the family physician who refers people to hospital; it is the family physician who, when somebody is discharged from hospital, works with the discharge planners to make sure they have the appropriate placement; it is the family physician who prescribes medication, and nobody else. The family physician is a key provider of primary care in this province and will continue to remain so.

**Mrs Sullivan:** Despite the bafflegab with respect to the family physician, I point out to you that, as the people who are looking at this bill have identified, the family physician is not included as a provider of professional services in this bill. In fact, the family physician is excluded. The decisions with respect to the assessment make no reference to the family physician, nor to any medical or clinical diagnoses.

But the senior citizens also spoke about their worries about increased costs to the system and believe that the new model which the government is putting forward will be extremely costly because it will eliminate volunteers from organizations such as the Victorian Order of Nurses, Meals on Wheels and many others, and therefore will cost the province more. Volunteers who have made many services possible will be replaced by permanent full-time employees whose salaries must be paid by the taxpayer. CARP says that when governments make job creation efforts, they should concentrate on jobs that the taxpayer doesn't have to pay for.

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We are asking the minister why she is adding to taxpayer costs by eliminating volunteers, by paying severances to those who are displaced by her new scheme, by eating into money available for services that are needed instead of using taxpayer money wisely and ensuring that needed services are available, that services are paid for and not severances.

**Hon Mrs Grier:** As I said in my response to the first question, I'm sorry if this particular organization of seniors feels this way and views the bill in this way. I really regret that my colleague opposite, who has been through the committees, who has heard the explanations, who knows what is the intent of the policy and the legislation of this government, instead of accepting that judgement but escalating it and creating fear and worry in the minds of many people about long-term care, has not sat down and worked through with CARP that in fact without volunteers, we wouldn't have the services in hospitals, in nursing homes, in communities that we now have in this province, and that there is no intention, nor is the reality out there in communities, that volunteers are not now nor will always be part of long-term care.

I go to district health councils where there have been 200 or 300 volunteers sitting on the committees planning the way in which long-term care will be delivered in their communities. I look at organizations that have volunteers and voluntary boards that see the reorganization as providing them with a better way of providing satisfaction, diversity of opportunity and support for the volunteers that they now use.

**The Speaker (Hon David Warner):** Could the minister conclude her response, please.

**Hon Mrs Grier:** I see hundreds and thousands of seniors across this province writing to me and saying on the Long-Term Care Act: "We strongly support one-stop shopping, the development of multiservice agencies. Let's get on with it." That's what seniors in this province are saying to the government.

**Mr Jim Wilson (Simcoe West):** My question is to the Minister of Health. Very clearly seniors across this province are expressing outrage and an extreme high-level concern about your MSA model and about your long-term-care legislation, Bill 173.

Seniors see your MSA model as creating a monopoly. Today the Canadian Association of Retired Persons had a press conference downstairs and it endorsed our approach to long-term care, which calls for a system that is less bureaucratic and monolithic, allowing seniors and their families to obtain advice but without losing the right to choose how they wish to live and whom they wish to entrust with their care, and freedom to determine their own future. That's from CARP.

The PC federated model keeps the friends in the system. It keeps the volunteers in. It's what seniors want. It provides one-stop access without one-stop or a no-choice monopoly as envisioned in the government bill. Minister, you already voted against our federated model in committee, but today I'm asking you with all sincerity: Given the large number of people in the galleries here today who are from the VON and the Red Cross and service providers, given the press conference held by the Canadian Association of Retired Persons, will you not reverse your decision, change your mind, accept a federated model and get rid of the 80-20 rule which is so damaging to the future of long-term-care services in this province?

**Hon Mrs Grier:** I think the member in his final comment perhaps got to the root of his party's opposition to what we're doing, which is that they believe that private sector, private deliverers of health care ought to be allowed to be paid by public funds for the provision of health care. We disagree. We disagree fundamentally, and that underlies many of the changes in reorganization that we're doing.

I hope he also explained to the organizations of seniors for whom he purports to speak that the federated model, as he calls it, which his party put forward in committee, had as its only mandatory service the provision of a 1-800 telephone status quo. That's the Conservative model and that's not one that we think is in the best interests of the seniors of this province.

**Mr Jim Wilson:** The Canadian Association of Retired Persons today confirmed what we've been saying all along, and that is that the original idea of long-term-care reform and community-based services was to have the government set up, yes, an agency, but an agency that would just provide information to seniors so they wouldn't have to dial a bunch of different telephone numbers trying to find out what services are available.

What's happened is that NDP ideology has crept into this legislation. This bill is more about one-stop unionization than it is about one-stop access to community-based services. Minister, if that isn't true, then why don't you stand up right now and tell this House that you're



abandoning the 80-20 rule which creates a monopoly that puts everyone under one roof—half of that sector now is non-unionized—and eventually will force them all to be unionized. That's the true agenda. If you don't think that's the agenda, then get up and denounce the 80-20 rule and take it out of your legislation.

**Hon Mrs Grier:** Before the member accuses me and this side of the House of being driven by ideology, I think he should listen to what in fact he's saying and to the proposals that his party has put forward. Whether it be CAT scanners, MRIs or long-term care, we know that the Conservative agenda is to privatize the health care system of this province.

That is not our agenda. That may be Preston Manning's agenda—we heard him in Toronto last week—that may be the Alberta agenda, but it is not the Ontario agenda and it is not the agenda of one million senior citizens represented by the consumers' alliance, the CAW retirees, the Consumers' Association of Canada and Canadian Pensioners Concerned Inc.

It's not their vision of health care either. It is their vision, their requirements and their design that have driven the improvements, the changes and the incredible increase in funding for long-term care that our government has put in place over the last four years.

**Mr Cameron Jackson (Burlington South):** On October 4, during committee hearings into Bill 173, Sid Ryan, the president of CUPE, had a couple of very interesting things to say to us as a committee. He expressed concern and alarm at the growing number of volunteers who were creeping into the health care sector. He said that volunteers should be restricted in their work performances and that they should be relegated to mainly recreational activities. He further went on to state before the committee that he calls for amendments to paragraph 56(1)11 to reduce the activities of volunteers.

Minister, I want to cite for you a report from the Quebec government task force report on health promotion, and I quote from the report, "The government has often been reproached for killing the volunteer movement by systematically paying people in the community to do the work they formerly did without pay." The report stated, "Charities previously providing these services in Quebec have progressively disappeared and the overall wage costs for services have increased." That's what a pro-labour Liberal government in Quebec did on long-term-care reform.

Given the fact that the major providers of volunteer services and charitably raised dollars in this province to the tune of \$37 million—

**The Speaker:** Would the member place a question, please.

**Mr Jackson:** —are asking you today, why would you turn your back on that \$37-million investment of people and money to benefit seniors, why would you push that on to the backs of taxpayers and reduce the total amount of support which seniors can expect in the province of Ontario? Listen to seniors, not Sid Ryan.

**Hon Mrs Grier:** He tempts me, Mr Speaker, but I won't.

Let me say to him that his characterization of what long-term-care reform and reorganization is going to do is grossly misleading and in fact fearmongering among the people whom it is designed to serve. We have not implemented a Quebec model; we have implemented a made-in-Ontario model that was the result of federation, coordination, put forward by the previous government and soundly rejected in community after community across this province.

I started my public service as a volunteer, and so did many of the people in this place. We know the value of volunteers, and we are putting in place a system where volunteers are doing the planning through district health councils, where volunteers will be managing the multi-service agencies through being on the board, and where volunteers will continue to do the work and bring the sensitivity and the extra dimension to seniors, be they lonely or be they part of a group, that they always have. Without volunteers we couldn't afford the kind of health care system that we have in this province, and people continue to need them, their vitality, their creativity and their contribution.

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#### CONTAINMENT LABORATORY

**Mr Chris Stockwell (Etobicoke West):** My question is to the Minister of Health as well.

Madam Minister, I know that you, being from Etobicoke, realize the concerns in Etobicoke with respect to the maximum containment laboratory to investigate deadly viruses at Resources Road, at Islington and 401. You know these are the most deadly viruses, with no anti-viral drugs to combat them, and there's major concern in the community surrounding that area. There are residential communities around it, one of the largest breweries in Canada quite close, and of course it's under the flight path of Pearson International Airport.

Can you bring us up to speed, us and the people in the constituency of Etobicoke, as to where this issue stands now and what your ministry is doing with respect to advising the community about it.

**Hon Ruth Grier (Minister of Health):** I'm well aware of the concerns that have been expressed by people in the community around the laboratories of the Ministry of Health. It's been there, I think, for 20, 25 years. In response to those concerns, the city of Etobicoke council has asked for presentations to be made at a meeting on November 21, and we have indicated quite clearly that the lab will not open until after that meeting and until the people in the community, many of whom I think had an opportunity to tour the laboratory last week, have had their concerns addressed.

**Mr Stockwell:** From the calls I've been receiving, the community doesn't exactly feel that its concerns have been addressed, and there is some real concern out there with respect to this particular operation.

Minister, could you tell me whether there has been an environmental assessment hearing on this particular site, if you have investigated whether this is something that should be done now, and what the status is of the people in the city of Etobicoke who surround this area, really all

the people of the city of Etobicoke, as to whether or not this will have a full environmental assessment hearing?

**Hon Mrs Grier:** In 1982 the government of the day, which was a Conservative one, exempted this facility from the Environmental Assessment Act. I regret that, but that act was taken at that time. I'm very pleased that our government has in fact strengthened the Environmental Assessment Act.

**Mr Stockwell:** I don't think there's going to be much comfort in the city of Etobicoke when they ask for an environmental assessment hearing and you say, "A government back in 1982 exempted it." The technology today has far outpaced 1982 when we had environmental assessment hearings.

You know full well that when we were building the LRT on Spadina, there was a full environmental assessment hearing on whether the curb should be four inches high or six inches high. That is worthy of a full-blown environmental assessment hearing, but a containment laboratory that is going to be built in the city of Etobicoke, handling the most deadly viruses today known to mankind, doesn't need an environmental assessment hearing. That's what the citizens are hearing from your government.

I put it to you directly. A long time has passed and technology has moved on from 1982. You have the power, the power in your government, to order a full environmental assessment hearing. I don't know of any issue that cries for an environmental assessment hearing more so than this. Constituents in Etobicoke will not be satisfied with tours of the laboratory. They want an environmental assessment hearing, and they are looking to your government, specifically, Madam Minister, to you and your socialist sort, to give them that comfort.

I ask you directly. The citizens want an environmental assessment hearing. It's next to the biggest brewery in Canada, residents are within hundreds of yards of this, and it's under the flight path of Pearson International Airport. Madam Minister, are you saying to these citizens: "No, this government will not give you that. We do not think this is worthy"?

**Hon Mrs Grier:** It wasn't our government that issued an exemption under the Environmental Assessment Act, it was his government, so I find this a little hard to take.

Let me remind the member, who I'm sure is well aware as an Etobicoke representative, that the reason this lab was approved by the Conservatives in 1982 was not that they intended to bring in viruses from around the world; it was that somebody got off a plane at Pearson International Airport and was suspected of having Lassa fever. They were hospitalized at Etobicoke General Hospital, and the hospital was subsequently closed down for eight days in order to deal with the fact that there had been no containment area where this virus could have been done.

This has not changed since then. In fact, it was a government of the Liberal Party that approved the actual construction five years ago. The deputy medical officer of health from the city of Etobicoke has been sitting on an implementation committee for five years to watch the

laboratory being built. The laboratory is a laboratory within a laboratory within a laboratory. It isn't even a new structure or an addition to the existing laboratory.

**The Speaker (Hon David Warner):** Could the minister conclude her response, please.

**Hon Mrs Grier:** The health situation for people in this province who suspect that they have been affected abroad by any of these diseases now is that they wait eight days for lab tests to be done in Atlanta, at a lab that is in the middle of the city of Atlanta.

**The Speaker:** Would the minister please conclude her response.

**Hon Mrs Grier:** In the interests of the health of travellers to Ontario, it is important that we have a capacity here in Ontario to look at those viruses. In view of the concern of the residents of the area, it will not open until they have had an opportunity to have their fears addressed.

#### PROTECTION OF PRIVACY

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Solicitor General. It follows up on an issue that was raised in the Legislature a week ago regarding a citizen who lodged a complaint against the minister with regard to the use of private information by one of your staff.

The question is really quite fundamental. It's about abuse of power, perhaps one of the great fears society has, that government and its ministers use private and confidential information to attack citizens who may disagree with the government. We've seen three or four or five examples of that: The release of a Sudbury doctor's information; there was a private citizen in the mining business whose private information was released; a person who was a victim at Grandview whose private information was released by the Premier's office to discredit her; and then this most recent charge.

These are extremely serious and a very important matter, where the government apparently is using private, confidential citizens' information to discredit citizens.

My question to the Solicitor General is this: Has the government issued specific written instructions to the ministers and political staff outlining the guidelines for the use of private and personal information, and will the minister undertake today to release those written instructions so that the public may be aware of what guidance the ministers and their staff are working under?

**Hon David Christopherson (Solicitor General):** First, with regard to the issue the member raised on which to build his question, as I mentioned last week, in fairness to all involved, and I would certainly caution the member too, I think we ought to allow the police in this instance to do the job they've been asked to do before we draw any conclusions at all.

Secondly, yes, it was the practice, certainly when I went into cabinet, that there were meetings with freedom of information officers and officials within the ministry clearly outlining what is appropriate and what is inappropriate. I would expect that the same has been done in the offices of my colleagues.

**Mr Phillips:** That's not really the answer to my



question. It's an absolutely fundamental issue, because we've now seen several examples. I might also add for the Legislature that twice there were leaks that arrived in the hands of the official opposition and twice the government called in the police—very serious matters where the state uses the police to attempt to silence people who are attempting to raise legitimate issues.

1420

I go back to the question I asked before: Will the minister assure the House that there are written instructions to members of the political staff dealing with these private, confidential informations, will you table those written instructions, and furthermore, will you assure the House that the government has actually interviewed the political staff to ensure that there have been no violations of these instructions over the past few years, and will you undertake to report to the Legislature the specific directions you've followed in ensuring that has taken place and you can assure the House today that there haven't been violations of private and confidential informations by political staff of the various ministers?

**Hon Mr Christopherson:** I disagree with the member. I believe I did answer his question. I stated very clearly that when I became a minister there was a full and proper session with my staff, a very detailed discussion about what is appropriate and not appropriate with regard to freedom of information and protection of privacy of information. That is an important issue to us, as it is to everyone.

If he wants to know from other members of cabinet, he would have to ask them. I would assume they have done the same; I can't answer to that directly. But again to answer him very directly, yes, those types of discussions took place with my staff at the time I went into cabinet, and we do from time to time acknowledge the importance. In fact, in my ministry it's an issue we deal with quite frequently, given the nature of the business we do. I would say to him that yes, my staff are very much aware of the issues and they are reminded of the importance of the legislation that exists and the rights citizens have.

#### MUNICIPAL GOVERNMENT

**Mr Chris Stockwell (Etobicoke West):** My question is to the Minister of Municipal Affairs. Tomorrow you will have on your desk the results of the referendum in the city of Toronto on the future of Metro government. Can we expect an announcement from you in this House tomorrow?

**Hon Ed Philip (Minister of Municipal Affairs):** No.

**Mr Stockwell:** Municipalities all across Ontario are getting to vote on a lot of different issues in their local municipalities, some on snow removal, some on liquor sales, public utilities, to name a few, and of course, at the city of Toronto, whether or not to abolish the metropolitan level of government.

Just last month—and I think this is very indicative of the minister's attitude—when told the Toronto residents would be able to vote on how they want to be governed, you said, "Well, so what?" Minister, can we assume from your comment that you have no intention of listening to

what the voters have to say? Do you and your government reject the idea of referendums in municipalities across Ontario? I think it's a rather important issue. It's people getting an opportunity to comment on how they want to see their local municipalities run. When a minister comes forward and says, "So, what?" you leave the impression that you simply don't care. Is that what we are to assume from this?

**Hon Mr Philip:** It's too bad the member didn't read the rest of the story, in which I clearly indicated that the referendum was part of a lot of ways in which we are collecting information; that in fact the chairman of Metropolitan Toronto has, in cooperation with the lower-tier mayors and my ministry, been conducting a study on the future of Metropolitan Toronto; that we are looking at a number of different issues, including the economic issues, because we do not want the city of Toronto or Metropolitan Toronto to go the way of American cities under Republican leadership, which I'm sure he would have approved of, of being the hole in the middle of the doughnut.

All these pieces will be put together, and it's part of our considerations. Perhaps he should read a couple of articles in which I have been quoted accurately.

#### MOTORCYCLE AND SNOWMOBILE INSURANCE

**Mr Mike Cooper (Kitchener-Wilmot):** My question is for the Minister of Finance and also the minister in charge of financial institutions. As you know, the member from Lakehead and myself sponsored a rally in the spring protesting the unjust treatment of motorcycle enthusiasts and snowmobilers across the province. Over the past six months we've been presenting petitions in the Legislature, and we have about 15,000 names of people who feel they've been unjustly treated by insurance companies in the province of Ontario.

Minister, could you tell me where in the process we are, in the negotiations to find better treatment for our motorcycle enthusiasts and snowmobilers in the province of Ontario?

**Mrs Elinor Caplan (Orillia):** What a setup. That should be a statement.

**Hon Floyd Laughren (Minister of Finance):** I'm sorry, Mr Speaker, but I—

*Interjections.*

**Hon Mr Laughren:** I wished a ruling, Mr Speaker, but I thought members of the government had an opportunity to ask questions in the Legislature, as well as opposition members. Certainly, when we were in opposition, we didn't object to government members asking questions, and I'm surprised that the official opposition would do so now.

The member asks a question that a lot of people in the province have asked me, particularly motorcyclists. I would simply say to the member, who has been a very articulate spokesperson on behalf of motorcyclists in the province—if I didn't know better, I'd think he was one himself.

While there are problems any time you get a market that is as small, relatively speaking, as the motorcycle market, because any changes in accident claims can have

quite a substantial bearing on overall rates in that particular sector, if you look overall at the increases that affect motorcyclists, if you take it over the last four or five years—because there was a catching up that needed to be done; there were no increases for a while—you will see that the increases for motorcyclists have not been out of line with those experienced by automobile drivers as well.

I want to assure the member that access to insurance is not a problem for motorcyclists. They will always have access through the Facility if it's not available through a company. The Facility does not just underwrite last-resort insurance; it does other things as well.

I want to assure the member that the Ontario Insurance Commission continues to work with the industry to make sure nothing untoward is happening to that sector that's not reflected in the accident claims.

**Mr Cooper:** Right now most motorcyclists have put their motorcycles away, but now we have the snowmobiles coming out. I think most people realize that motorcyclists and snowmobilers do contribute a lot of money to tourism in the province of Ontario. Contrary to what the opposition is saying—they're talking about doom and gloom out here in the province—I think most people are now becoming optimistic that this province is better.

Basically, what I want to know is, with the work that's being done with the insurance commission, should motorcyclists and snowmobilers feel a little more optimistic going into 1995?

**Hon Mr Laughren:** I learned a long time ago not to overstate something, but we are hoping that as the insurance commission works with that particular sector, they will be able to come up with some solutions, because I recognize there's a problem. For one thing, the insurance commission is talking to some of the insurers in the industry about getting into the market to give motorcyclists a bigger choice than they presently have. I think that, at the end of the day, is the best solution in the interests of the motorcyclists, so we'll continue.

The member is quite correct when he says it's really close to the end of the season for most motorcyclists and that there is some time to try and sort things out, because I do believe that there should be more choice in the industry for motorcyclists.

#### DANGEROUS OFFENDERS

**Mr Steven Offer (Mississauga North):** I have a question to the Minister of Health. My question is on the issue of sexual predators. You will know that two weeks ago my colleagues Mr Chiarelli and Mr Murphy asked a question of the Attorney General on this same issue.

The current law does not sufficiently protect the general public from persons likely to engage in predatory acts of sexual violence. I will be introducing a bill today which amends the Mental Health Act. I have shared that bill with you. This bill has as its purpose a mechanism by which the public can be protected against dangerous sexual offenders who are about to be released to the community. My question is, will you support this legislation?

**Hon Ruth Grier (Minister of Health):** I appreciate the member having sent me a copy of his legislation. He

will understand, having sent it to me a couple of minutes ago, that I haven't had a chance to review it, nor am I in a position to say whether I support it. But I certainly take the issue he raises very seriously, and I'm happy to tell him that my colleagues the Attorney General, the Minister of Correctional Services, the Solicitor General and I have been examining this issue with our federal colleagues. I think more work needs to be done, and I'll be happy to review his private member's bill.

1430

**Mr Offer:** This is a very short session of the Legislature. There is an immediate and urgent need to act, and it can be done. The principle is straightforward: removing sexual predators from the street. My question is, do you agree in principle with the removal of sexual predators off the street, and will you commit to ensuring that legislation is passed this session which has that result?

**Hon Mrs Grier:** I think the member knows full well that I'm not in a position to commit the government to passing legislation this session, but I am in a position to say to him that we take the protection of the public very seriously and that we think public protection requires better coordination both between provincial ministries, the ones I mentioned, and with the federal-provincial-territorial levels of government, and in discussions with the federal Attorney General, the federal Minister of Health, there are a number of task forces working on how we can in fact—

*Interjection.*

**The Speaker (Hon David Warner):** The member for St George-St David is out of order.

**Hon Mrs Grier:** —protect the public both in terms of changes to legislation and in terms of enforcement and better coordination of public policies. I think that's necessary. I think we've made a start on beginning to do that and I certainly am committed to continuing that work.

#### RURAL ECONOMIC DEVELOPMENT

**Mr Noble Villeneuve (S-D-G & East Grenville):** My question is to the Minister of Agriculture, Food and Rural Affairs. In August 1993, our caucus launched a task force on rural economic development. I have the end product right here. Today we are releasing the results of these consultations and correspondence with rural Ontarians. The message is clear. Rural Ontarians are frustrated with made-in-Toronto solutions to rural problems such as the Sewell report etc.

Our report is a comprehensive study on rural Ontario by rural Ontarians for rural Ontarians. Minister, do you have such a report for rural Ontario?

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** I believe it's important to consult with the people of rural Ontario and we do that on a regular basis. A number of our members communicate directly and frequently with rural Ontario, as I do. We spend our time implementing and responding, and we believe in action, not just in writing reports.

**Mr Villeneuve:** I gather there is no report, from what I just heard, because the OFA has submitted very deep concerns regarding Bill 163 and no one is listening.



This summer we asked Ontario farmers about the agricultural labour legislation, Bill 91, and 97% of the respondents said they wanted Bill 91 to be repealed. As it says in our report that we will repeal Bill 91, are you prepared to act according to the wishes of Ontario farmers and repeal Bill 91?

**Hon Mr Buchanan:** I'm not exactly sure who the member consulted with when they wrote the report. I, by the way, would be more than pleased to have a copy to see what their consultation showed, but I have to tell the member that I have not received one single letter or one single request from any farmer asking to have Bill 91 repealed.

#### PROPERTY ASSESSMENT

**Mr Bruce Crozier (Essex South):** My question is to the Minister of Finance. The property assessment division of the Ministry of Finance has a great number of problems at the present time. In my riding, for example, assessments for new subdivisions, new residences, commercial and industrial property are behind about six or eight months. In addition to that, municipalities are being charged for supplementary assessments.

This serious backlog is costing municipalities tens of thousands of dollars in lost revenue, as well as boards of education and counties, and I think is hampering economic development. What are you doing to eliminate this serious backlog?

**Hon Floyd Laughren (Minister of Finance):** I appreciate the question from the member. There is no doubt that what the member says is partially true, that there is a backlog. At a time when we are attempting to provide a consistent level of service with fewer resources, I believe that's to be expected. We have made a determination that we are continuing to reduce the size of the Ontario public service, not without some pain and not without some problems.

I can tell the member, that's the kind of thing that happens. When you reduce budgets all across government, these kinds of things do happen from time to time. The assessment branch is working assiduously, as best it can, to get that backlog down, because we recognize that it does cause problems.

**Mr Crozier:** I wouldn't say that it's just partially correct, sir; it's totally correct that they are behind. I appreciate the fact that you're trying to reduce the public service and yet at the same time maintain the level of service. Therefore, I would assume that the minister might be open to some suggestions; for example, that the information that building officials have, which is very complete, could then be used by the property assessment division, thus reducing the time, effort and costs that they have to spend on these assessments, and that then these building officials could help you decrease that backlog.

**Hon Mr Laughren:** Sorry, I really did miss the last part of the member's question. Would you allow that to be repeated?

**The Speaker (Hon David Warner):** Yes. Could the member repeat the last portion.

**Mr Crozier:** What I'm suggesting is that there is a great deal of information that building officials in the

municipalities have that has been offered to the assessment department in order to reduce the time it would take them to complete these assessments. This has been rejected. I wonder if the minister might pursue, along with ourselves perhaps, looking into this. That would streamline the system more and would help decrease the backlog.

**Hon Mr Laughren:** I appreciate that suggestion from the member. The member will, I'm sure, recall that this government tried very hard to put in place something called a disentanglement process with the municipal sector. Unfortunately, that fell apart when the municipal sector walked away from the table. I regret that very much.

**Mr Ron Eddy (Brant-Haldimand):** Why? Why did they walk away from the table?

**Hon Mr Laughren:** I'm not attaching blame to anyone. I'm just saying that there was an opportunity to have the entire assessment process done by a separate corporation and that the municipalities would have had major input into the way that would happen, and I regret it didn't occur.

However, I take these suggestions from the member seriously and I will look into those suggestions that did come from the municipal sector, from the assessors at the municipal level.

**Mr Eddy:** On a point of order, Mr Speaker: The Minister of Finance has failed to advise the House that he charges for this service.

**The Speaker:** The member does not have a point of order.

#### PROCEEDS OF CRIME

**Mr Robert W. Runciman (Leeds-Grenville):** My question as well is to the Minister of Finance and it has to do with the proceeds of crime.

Minister, in 1993 the federal government passed Bill C-123, the Seized Property Management Act, which allows the government to claim the proceeds of crime, property investments and bank accounts of convicted criminals. This January, regulations will come into effect allowing the federal government to share the proceeds of those seizures with provinces whose police forces played a significant role in the investigation and prosecution.

Minister, can you indicate to the House today what the government's plans are in respect of those revenues, how they are going to be directed, or are they going to be dedicated?

**Hon Floyd Laughren (Minister of Finance):** Pardon me for being a little slow. I'm trying to remember, as a matter of fact. I seem to recall that this is a process whereby the revenues are dedicated. I want to go back and do some thorough checking before I'm too categorical in my response, but that's my recollection.

1440

**Mr Runciman:** We'd like the minister to be very categorical today. The federal regulations for Bill C-123, as printed in the Canada Gazette of August 20, state that the province is to receive either 10%, 50% or 90% of the value of the forfeited property, depending on the degree

to which a province's police force participated in the investigation. However, the federal government specifically prohibits individual municipalities, and by extension their police forces, from directly sharing in these moneys and recouping the costs of very expensive investigations.

Minister, today we would like a categorical response, your word that any participating police forces in Ontario, be they municipal forces or the OPP, be reimbursed for the cost of their investigations so they may continue to carry out very good work. Will you assure us that any leftover funds will be put into crime and drug prevention programs?

**Hon Mr Laughren:** The provincial government is, as I speak, looking at the various options in this regard. Just a word of caution on the whole issue, and other governments have faced this as well, other governments in this assembly: The whole question of dedicating revenues can be a bit of a mug's game, which is appropriate in this case, I think, in that what's applied in a dedicated way by governments very often simply is reduced out of the consolidated revenue fund, so that at the end of the day, unless there's a real vigilance, if I can use that term, concerned with keeping an eye on the amount of money that goes into a program prior to the dedication of funds compared with after the dedication of funds—so we are looking at the options that are available to us, but as I recall, no final decision has yet been made.

#### LONG-TERM-CARE REFORM

**Mr Derek Fletcher (Guelph):** My question is to the Minister of Health. Minister, I know our government is the first provincial government to develop a comprehensive long-term strategy that is going to serve the changing needs of Ontario's seniors, the frail elderly and the chronically ill.

There are many agencies in my riding of Guelph that currently deliver some of these services and programs that seniors need, such as the VON and the Red Cross, and they've asked me how long-term-care reform is going to affect them.

I know the minister is aware that the community agencies have a long history of caring for people in our communities. I'm just wondering if the minister could respond to their concerns.

**Hon Ruth Grier (Minister of Health):** I'm glad to have the opportunity to repeat my acknowledgement, support and appreciation of what Red Cross, VON, home support services, all of the voluntary agencies that have provided magnificent care around this province, have been doing for very many years, in fact decades. On the other hand, I make no apology for trying to reorganize the way in which those services are provided in order to increase the benefits to seniors, because what this is all about is making sure that the elderly and the disabled, no matter where they live, no matter what their income level, receive a consistent level of care and a consistent continuum of care all across this province.

The 1,200 agencies that now provide care, excellent though many of them are, are a patchwork. In recognizing the degree and the expertise and the professional way in which they've provided service, we are in no way

criticizing them as we change it. We are saying that what they have provided to their clients, everyone in the province who needs it deserves to get, and that only by reorganizing it and providing it in a way that is consumer-focused can we build on the excellence of what exists and make it better. That's the challenge.

#### CHILD CARE

**Mrs Yvonne O'Neill (Ottawa-Rideau):** My question is to the Minister of Community and Social Services. During estimates committee we examined rather closely the conversion project on child care, and we examined again that this particular program of this government does not add one new space to child care. We know that the waiting lists go to the tens of thousands in this province. We have spent over \$15 million on the conversion project and what we were told by the minister at that time is that we get more of the same. In fact, it's going to be escalated as we approach the election, if indeed a new mandate is ever provided.

My question is, how can the minister justify spending millions of dollars, non-producing dollars, dollars that produce not one new space for not one new child in this province, going to evaluators and to lawyers and not to children of this province?

**Hon Tony Silipo (Minister of Community and Social Services):** I thank the member for the question, but I think what she forgets to add to her premise and her question is the fact that by the conversion initiative, we are not only responding to a need that people in the child care community have identified for years as being a problem to be rectified, and we are rectifying that, but we are adding significantly to the number of non-profit child care spaces that are in the system.

That is happening particularly in communities that have historically had a very low percentage of non-profit child care spaces, and there we are turning the situation around, resulting in a much better balance between the number of for-profit child care centres and spaces and, most importantly, the number of not-for-profit child care spaces.

I can tell the member that as of September 30 of this year, over 4,600 spaces have been converted. That means there are 4,600 more spaces in the not-for-profit sector, which I thought was a sector that the Liberal Party in fact supported and that we certainly support on this side of the House as being in effect this system that we need to support across this province.

**Mrs O'Neill:** Times are changing and certainly we do find that the minister has not added to the licensed spaces. There is no addition to the services for children in this province and that's the bottom line.

My second question also deals with the same issue, but it deals with the issue of \$44 million being allocated to capital on child care in this province. When I asked the question again in estimates, I was given the answer that there are hopes that maybe something will be forthcoming, that we'll be able to fill these spaces, that we'll be able to allocate more money to child care in this province, but in the meantime we have all kinds of empty spaces across this province that are not being filled



simply because of this government's ideology of having very—

**The Speaker (Hon David Warner):** Would the member place her question, please.

**Mrs O'Neill:** —narrow criteria for the subsidization plan that is generally unaccepted.

*Interjections.*

**The Speaker:** Order.

**Mrs O'Neill:** I ask the minister, how can he justify \$44 million in capital, indeed the largest capital in this budget of MCSS, going for spaces that are unquestionably really not needed when we have empty spaces in this province?

**Hon Mr Silipo:** It's really interesting to hear the Liberal Party's position of the day because that's really what this is becoming. Every time another member of the Liberal Party stands up on an issue like this, we get a different position on the issue. We on this side have been very consistent in our support for not-for-profit child care. I thought that's where the Liberal Party was as well; I guess I'm mistaken.

*Interjections.*

**The Speaker:** Order.

**Hon Mr Silipo:** We have continued to support in a number of ways, including yes, on the capital side, the fact that there continue to be, on the one hand, many child care centres that are in need of major renovations, and that's what a lot of the capital will be going into.

I'm also happy to remind the member opposite that there will be additional spaces this year. There will be an additional at least 4,000 spaces to get us up to the 14,000 spaces that we were indicating under Jobs Ontario, which we are going to be reaching by the end of this fiscal year. Those are additional spaces, more spaces by the end of this fiscal year than there were at the end of the last fiscal year and that requires, in some instances, some new capital dollars for that to come about.

**The Speaker:** Would the minister conclude his response, please.

**Hon Mr Silipo:** That is something we're quite proud of, something that we know is needed in the system and something that we will continue on this side of the House to be consistent in our support for.

1450

#### INTERIM WASTE AUTHORITY

**Mr David Tilson (Dufferin-Peel):** I have a question for the Minister of Environment and Energy. Volume 2 of the public accounts states that the sole shareholder of the Interim Waste Authority is the minister responsible for that specific authority.

As the sole shareholder, will you be prepared to file with this House today the economic forecast of the Interim Waste Authority and the specific details as to how the three dumps expect to be operated and the economic impact on the community?

**Hon Bud Wildman (Minister of Environment and Energy):** The member knows very well that the Minister of Environment and Energy is indeed the sole shareholder.

He also knows that the Interim Waste Authority has undergone a very strenuous and arduous study to locate sites and is about to embark on a full environmental assessment of those sites.

As he knows, the environmental assessment process deals with questions related to economics, social factors, as well as what might be considered by those not fully aware of the process environmental factors. Those kinds of issues are matters that will be dealt with fully prior to the approval of any site by the Environmental Assessment Board.

#### MOTIONS

##### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Brian A. Charlton (Government House Leader):** I move that Mr Wiseman and Mr Waters exchange places in the order of precedence for private members' public business.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

#### PETITIONS

##### FIREARMS SAFETY

**Mr Ron Eddy (Brant-Haldimand):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the undersigned strenuously object to the minister of the Solicitor General's decision on the firearms acquisition certificate course and examination;

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years;

"Whereas we believe that we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I affix my signature to those of many others from my constituency.

##### NON-PROFIT HOUSING

**Mrs Margaret Marland (Mississauga South):** I have a petition to the Legislative Assembly of Ontario from the Seniors' Tenants Association for Metro Toronto non-profit housing. It reads as follows:

"We, as tenants of the above address and as members of the Seniors' Tenants Association, petition the Legislative Assembly of Ontario to temporarily suspend any further enforcement of the Ministry of Housing's policy for seniors' non-profit housing.

"It is our collective opinion that this policy will have a major negative impact on the lifestyle of all tenants in seniors' housing. Therefore, we respectfully request a review and a study of the impact that said policy will have on our seniors' community."

There are over 2,000 names in this petition, and I'm

happy to lend my support and my signature to this petition on behalf of the senior tenants.

#### RECOVERY FROM ABUSE

**Mr Derek Fletcher (Guelph):** This is to the Legislative Assembly of Ontario.

"Whereas a person's right in an abusive situation to resume the role as a parent on a full-time basis following recovery has been seriously compromised by the legal system; and

"Whereby the children remain or continue to visit with the unrecovered parent and the legal system now seriously minimizes the abuse situations that many people find themselves in, which makes escape from abuse a difficult process, thereby reinforcing the abuse cycle; and

"Whereas a person who finds recovery from abuse and later attempts to reunite with their children discovers they are negatively penalized by the system—this creates a situation where the victim and the children are revictimized by the legal system as it exists today; and

"Whereas this assessment process done by any government official at any level tends to favour the status quo and overlook the time, work, effort and positive effects of recovery; and

"That the present system now encourages the repetition of violence by having no criteria specifically creating the ground rules to make both parties accountable when abuse occurs; and

"Where crisis intervention becomes imminent, criteria to facilitate recovery will lower the costs and risks involved in the cycle of violence, where both parents are in the recovery,

"Be it further resolved that the children are also protected by a program facilitating the reduction in costs to the individuals involved in the community; and

"Therefore, be it also resolved that at the present time, the government of Ontario initiate programs to facilitate recovery and that the right of a parent to return to parenting must be protected, that government officials are specifically trained in this area of physical, mental, psychological, sexual or chemical abuse, that these officials must have current criteria to follow which are laid out by law and that this will speed up the process, thereby reducing the costs of abuse."

I have this with 330 signatures and I affix my name.

#### HEALTH INSURANCE

**Mrs Yvonne O'Neill (Ottawa-Rideau):** My petition is to the Legislative Assembly of Ontario and is signed by several constituents and constituents of neighbouring ridings.

"Whereas the Ontario government has announced its intention to reduce emergency coverage for out-of-province health care on June 30, 1994;

"Whereas the citizens of Ontario are entitled to health coverage no matter where they are, with payment made on the basis of the amount that would be paid for a similar service in the province;

"Whereas the Canada Health Act entitles all Canadians to health care on an equal basis;

"Whereas this decision by the Minister of Health is in

direct contravention of the Canada Health Act;

"We, the undersigned, petition the Legislature of Ontario to ensure the Minister of Health follows the provisions of the Canada Health Act to prevent further erosion of our health care system in Ontario."

I too affix my signature.

#### SALE OF TOBACCO PRODUCTS

**Mr David Johnson (Don Mills):** I have a petition with regard to the Tobacco Control Act, 1993.

"Whereas this bill will prohibit the sale of tobacco products in veteran hospitals, such as Sunnybrook K Wing, other veteran hospitals and veteran homes;

"Whereas the residents of the hospitals and homes may be in their last and final home, and many of these veterans, who have served Canada in the armed forces during the First and Second World War and Korea, are now either wheelchair patients or confined to the hospital or home areas;

"Whereas many have been on non-smoking programs at Sunnybrook Hospital, but 20% of the 570 residents are long-term smokers who find that their only enjoyment and social activity is smoking and going to the marketplace in K Wing to purchase their tobacco products;

"Whereas the sale of tobacco products is strictly controlled by sales staff and the nearest outlet is more than three kilometres away, a trip that is impossible for the veterans;

"Therefore we, the undersigned, wish to petition the decision of Bill 119 and ask that the sale of tobacco products be allowed to continue in veteran hospitals and homes, providing the sale is under the strict control and sale is only to residents of the said hospital or long-term home."

This petition is signed by hundreds of veterans associated with branches 10, 11, 1, 73, many different branches in this area, and I affix my signature.

#### 1500

#### MOTORCYCLE AND SNOWMOBILE INSURANCE

**Mr Ron Hansen (Lincoln):** "Whereas we, the undersigned, are of the opinion that private insurance companies are exploiting Ontario motorcyclists and snowmobile operators by charging excessive rates for coverage or by outright refusing to provide coverage;

"Whereas we, the undersigned, understand that those insurance companies that do specialize in motorcycle insurance will only insure riders with four or more years of riding experience and are outright refusing to insure riders who drive certain models of 'supersport' bikes; and

"Whereas we, the undersigned, believe this situation will cost hundreds of jobs at dealerships and in the motorcycle industry and is contrary to the rights of motorcyclists and snowmobile operators;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario should study the feasibility of launching public motorcycle and snowmobile insurance."

I add 515 names to the already 15,000 that Mr Cooper



had mentioned earlier in question period and I affix my signature.

#### VIOLENCE

**Ms Dianne Poole (Eglinton):** I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas serial killer trading cards are being imported into and distributed throughout Ontario and the rest of Canada;

"Whereas these trading cards feature the crimes of serial killers, mass murderers and gangsters;

"Whereas we abhor crimes of violence against persons and believe that serial killer trading cards offer nothing positive for children or adults to admire or emulate, but rather contribute to the tolerance and desensitization of violence; and

"Whereas we, as a society, agree that the protection of our children is paramount,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario government enact legislation to ensure that there is no sale of these serial killer trading cards and that substantial and appropriate penalties be imposed on retailers who sell serial killer trading cards to minors."

This petition is signed by Carol Dunn, the president of the Council of Women of Ottawa and Area, on behalf of the council, and I'm pleased to affix my signature since I concur with that opinion.

#### MOTORCYCLE AND SNOWMOBILE INSURANCE

**Mr David Johnson (Don Mills):** I have a petition to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, are of the opinion that private insurance companies are exploiting Ontario motorcyclists and snowmobile operators by charging excessive rates for coverage or by outright refusing to provide coverage;

"Whereas we, the undersigned, understand that those insurance companies that do specialize in motorcycle insurance will only insure riders with four or more years of riding experience and are outright refusing to insure riders who drive certain models of 'supersport' bikes; and

"Whereas we, the undersigned, believe this situation will cost hundreds of jobs at dealerships and in the motorcycle industry and is contrary to the rights of motorcyclists and snowmobile operators;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario should study the feasibility of launching public motorcycle and snowmobile insurance."

#### FIREARMS SAFETY

**Mr Daniel Waters (Muskoka-Georgian Bay):** I have a petition to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, strenuously object to the minister of the Solicitor General's decision on the firearms acquisition certificate course and examination;

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and

Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years; and

"Whereas we believe that we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend your plans, grandfather responsible firearms owners and hunters, and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

This is signed by several hundred constituents within my riding.

#### LONG-TERM-CARE REFORM

**Mrs Yvonne O'Neill (Ottawa-Rideau):** My petition is to the Legislative Assembly of Ontario and certainly contains many signatures from the Ottawa-Carleton area.

"Whereas the Ontario government has given second reading to Bill 173, An Act respecting Long-Term Care, and clause-by-clause consideration of the bill;

"Whereas seniors and the disabled are entitled to accessible community-based care;

"Whereas we do not believe that Bill 173 will provide more cost-effective and accessible care;

"Whereas we, the undersigned, believe the government of Ontario must recognize and value the work of volunteers in this province;

"We, the undersigned, petition the Legislature of Ontario to ensure that amendments are made to Bill 173 to allow for provision of community care based on the needs of the local communities in Ontario and acknowledge the role of volunteers in the delivery of care."

I too will affix my signature.

#### MOTORCYCLE AND SNOWMOBILE INSURANCE

**Mr Mike Cooper (Kitchener-Wilmot):** I have a petition here from my constituents. It was forwarded to the Motorcycle and Moped Industry Council and then forwarded to myself.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario should study the feasibility of launching public motorcycle and snowmobile insurance."

#### LONG-TERM-CARE REFORM

**Mr James J. Bradley (St Catharines):** I have a petition from a number of individuals who are concerned about Bill 173.

It's to the Honourable Bob Rae, Premier of Ontario, and the Honourable Ruth Grier, Minister of Health, the province of Ontario.

"We, the undersigned, are concerned that Bill 173, if unamended, will mean less service, more costly service, a decrease in volunteers and the inability of local communities to ensure the long-term-care system meets their needs."

This is signed by a number of people in my constituency. I affix my signature as I agree with this petition.

## GASOLINE PRICES

**Mr Gilles Bisson (Cochrane South):** I have here a petition generated by Liberal MPP Frank Miclash in regard to gas prices in northern Ontario. It's signed by a number of people in the north, and I would like to table that petition.

## CLOSURE OF B'NAI BRITH COTTAGE

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I have a petition to the Lieutenant Governor and the Legislative Assembly of Ontario.

"The permanent closure of B'nai Brith Cottage was announced by Chedoke McMaster Hospitals. For 18 years B'nai Brith Cottage has helped adolescents from Halton, Hamilton-Wentworth, Niagara and Kitchener-Waterloo. This facility for many teens has been their last hope for the help they need to deal with emotional, psychiatric and/or behavioural problems or an abusive home life.

"We, the undersigned, believe that B'nai Brith should continue to stay open to help troubled teens. If your life or the life of your family had been touched by the care and compassion received by the staff at B'nai Brith Cottage or would like to see this facility kept open for the many teens who are desperately looking for help, some with no other place to turn, please sign this petition."

This petition contains hundreds of signatures, and I will be adding mine.

## WORKERS' COMPENSATION

**Mr Ron Hansen (Lincoln):** I have a petition here to the Legislative Assembly of Ontario:

"Whereas the Ontario Workers' Compensation Board is in a state of financial crisis; and

"Whereas the future benefits of injured workers are at certain risk; and

"Whereas the Premier ignored the advice from his own business advisers on his labour and management advisory committee to eliminate the unfunded liability and to ensure that the WCB does not negatively impact the competitiveness of Ontario business; and

"Whereas Bill 165 increases benefits at a time when the Workers' Compensation Board is experiencing negative cash flow;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario withdraw Bill 165 and accept the responsible business recommendations provided to the Premier to ensure the sustainability of the workers' compensation system."

I have four signatures on this petition.

## INTRODUCTION OF BILLS

## MENTAL HEALTH AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI  
SUR LA SANTÉ MENTALE

Mr Offer moved first reading of the following bill:

Bill 188, An Act to amend the Mental Health Act /  
Projet de loi 188, Loi modifiant la Loi sur la santé  
mentale.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the

pleasure of the House that the motion carry? Carried.

**Mr Steven Offer (Mississauga North):** The purpose of the bill is to provide a mechanism by which the public can be protected against dangerous sexual offenders who are about to be released into the community. The Attorney General will be informed three months in advance of the anticipated release of such persons and may initiate steps leading to the person's confinement in a psychiatric facility.

## OSHAWA DEAF CENTRE INC. ACT, 1994

Mr Mills moved first reading of the following bill:

Bill Pr154, An Act to revive Oshawa Deaf Centre Inc.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

1510

## ORDERS OF THE DAY

STATUTE LAW AMENDMENT ACT  
(GOVERNMENT MANAGEMENT AND SERVICES), 1994LOI DE 1994 MODIFIANT DES LOIS  
EN CE QUI A TRAIT AUX PRATIQUES DE GESTION  
ET AUX SERVICES DU GOUVERNEMENT

Resuming the adjourned debate on the motion for second reading of Bill 175, An Act to amend the Statutes of Ontario with respect to the provision of services to the public, the administration of government programs and the management of government resources / Projet de loi 175, Loi modifiant les Lois de l'Ontario en ce qui a trait à la fourniture de services au public, à l'administration des programmes gouvernementaux et à la gestion des ressources gouvernementales.

**The Deputy Speaker (Mr Gilles E. Morin):** I believe that last time, Mr Daigeler had the floor. Mr Daigeler is not here, so we'll go in rotation.

**Mr David Tilson (Dufferin-Peel):** The member for Mississauga South had intended to speak at this time on behalf of the Progressive Conservative Party. However, she has been led to believe by the government House leader that the sections dealing with the Advocacy Commission were going to be withdrawn from this specific part of the bill, so she therefore has declined to speak. However, I am continuing to speak in her place, Mr Speaker.

As we have been told by the Attorney General, this bill makes changes to over 100 statutes that fall under the jurisdiction of 14 separate ministries. They involve changes to everything from automating the land registry offices, to allowing alcoholic beverages to be sold in provincial parks, to harmonizing federal and provincial food-grading systems, to allowing individuals to pay for drivers' licences, permits and plates by credit card, to banning the use of leg traps in the wild fur industry, and a whole slew of other matters which some members before me have already spoken to.

Although tempted to refer to other sections, I will be restricting my comments, as the critic for the Progressive Conservative Party, to those sections of the bill that deal with environmental sections, specifically part VIII. There are about four amendments to a number of pieces of legislation. One is the Consolidated Hearings Act, the others are the Environmental Assessment Act, the Envi-



ronmental Protection Act, the Ontario Water Resources Act and the Pesticides Act.

If you look at this piece of legislation—the Attorney General has assured us that it's simply “housekeeping” matters, I think was the terminology she used, that it's simply crossing the t's and dotting the i's. But any members who have taken the time to look up all the pieces of legislation this bill is amending and the effect it has—many of them are fine, but it is a very difficult piece of legislation to understand, simply because it's very time-consuming to absorb it all. In the time I'm allotted, I will be dealing specifically with sections I have taken the time to try and study exactly what the amendments are with respect to the Ministry of Environment and Energy.

The first section, section 114, talks about amendments to the Consolidated Hearings Act. This is a piece of legislation which many of us, including myself, don't know much about, although it's becoming very, very popular now, with the three hearings going on, the joint hearings with the Environmental Assessment Board and the Ontario Municipal Board being held in Durham, Peel and York for the three superdumps.

I have the honour of having one of those dumps. Of course, I call it an honour with tongue in cheek, because it's not an honour at all.

One of the superdumps is in my riding of Dufferin-Peel, specifically the town of Caledon, so many of my constituents have come to attempt to understand the Consolidated Hearings Act.

As I understand the Consolidated Hearings Act, it currently says that “the establishing authority may change the composition of a joint board that has not”—

**Hon Brian A. Charlton (Government House Leader):** A point of order, Mr Speaker: My apologies for interrupting the member, but the House leaders were just having some discussion about the possibility of Bill 175 being finished this afternoon and the House perhaps adjourning a little early, and how to deal with the committees that are going to be sitting this afternoon. I believe we have the consent of the House to allow the committees to continue to sit until 6 o'clock should the House adjourn early; not to force them to sit till 6 but to allow them to sit till 6 if the committees so choose.

**The Deputy Speaker:** Agreed? Agreed. The member for Dufferin-Peel.

**Mr Tilson:** I'm trying to talk about the amendments to the Consolidated Hearings Act. The act, as I understand it, currently states that “the establishing authority may change the composition of a joint board that has not commenced to hold a hearing.” The amendment says, “The establishing authority may change the composition of a joint board at any time before the joint board begins to hear oral evidence on a matter that is neither procedural nor preliminary.”

Now, that all sounds very innocent, and there may be good reasons which could be explained to me. But I guess we're starting to observe what is going on in our province dealing with one of the most major environmental issues this province has ever seen, that is, the

creation of three superdumps in the three regions, which has an awful lot of people very, very upset across this province.

**Mr Anthony Perruzza (Downsview):** What's the difference between a dump and a superdump?

**Mr Tilson:** The member is chatting over there about something.

I can tell you that this concern about the process and where we're going on this matter has many of the constituents most alarmed. Specifically, the consolidated hearing process has started already for the three superdumps. One has started in Durham region, on October 27 and 28, so they have had their preliminary hearings. And they're very complicated hearings. Someone has given me some notes about what went on, as I wasn't able to attend, and, with due respect to the hearing officers, because I'm sure they're trying to make the best of a very difficult situation, there is much confusion as to what is going on.

The other issue is that the other hearings are being held in my riding, in Dufferin-Peel, in the Peel region, at the Albion and Bolton Community Centre on November 24 and 25, and then finally at the York Metro site on November 29 and 30, so the preliminary hearings will be over by the end of this month. But the confusion and the issues being dealt with are giving many people much concern: issues as to whether people can be heard, whether they're getting any proper funding, a whole slew of other issues.

This section seems to say that as long as oral evidence hasn't commenced, the composition of the joint board can be changed. I would like to know, and I hope someone from the government will be able to explain to me, why that is taking place. I was always of the impression that once someone in the judicial process, a judge or someone like that, starts to hear a matter, a trial matter, whether it be in criminal or in civil, unless for the death of a judge or some other reason, that judge hears the case from beginning to end.

Yet it appears from this section, an example that just happened to happen—or maybe it didn't happen to happen; maybe the government's trying to put this through before these hearings are under way completely. But it seems that as long as oral testimony hasn't been given, the composition of this board can be changed. I always thought that, to be fair, when judges start to hear matters, they're seized of those matters; that they should quite properly hear trials and other matters to the very end, to the conclusion of the case. But not with this, and I don't know why.

There's a whole slew of preliminary matters. In fact, as I understand it, the three members of the consolidated board are going to meet in some downtown hotel sometime in December just to hear preliminary matters; it could go on for days, just to hear preliminary matters, objections in terms of the process. And then, as I understand it, with section 114 of Bill 175, the establishing authority can change the composition of the board.

As it stands now, the panel is going to be three people, and they're going to hear all three of the consolidated

board hearings, in all three of the regions, notwithstanding that I suppose it's possible they could give conflicting decisions in each one, or why would anyone bother making preliminary objections at a later date when they may have already given a decision in Durham or Peel or York?

So it's a very confusing process, and then, tied with this section, the whole composition could change.

1520

And there's already been a preliminary hearing where some staff from the consolidated board got together to hear and try to explain to the public all the different aspects of the process; in other words, who's going to be a party, who's going to be a participant, in all the different categories. All of that was very admirable, except I would have thought the board should do that.

The purpose of the preliminary hearings these three hearing officers are going to hear, notwithstanding the fact that at a later date, as I understand it from this bill, they could be changed: They are to hear submissions from potential full- and part-time parties, from potential participants; they are to discuss the issues identified at a preliminary meeting held by their staff; they are to plan the process up to the main hearing of the various sites; information; document exchange; meeting of parties; legal and technical representatives; scoping of issues; resolution of conditions on approval; planning and scheduling of the main hearing; they're to discuss the intervenor funding process and deal with any other preliminary matters.

I understand that. It's complicated, and I understand that as well. What I don't understand is, once these three hearing officers are going to be hearing all these things, they can be changed. I hope I'm wrong, but that's what it appears this section says. I can tell you, from the notes that were given to me about what went on in Durham, it was just mad chaos. There were motions galore which were dealt with by these hearing officers, and they're going to hear more and more. Why wouldn't they hear it all the way through? Why is it possible that you're going to have three more hearing officers, or one more hearing officer, who would come in after they've heard all these very important matters? I hope I'm wrong in the interpretation, but as I read it, on the face of it that appears to be what it says.

I question the fairness of the process. With all the political wrangling that's going on from the government side, the IWA, the ratepayers, the opposition parties, the consolidated hearing board is the only independent group to hear this process, yet it appears that partway through, the composition could be changed. I must confess, I don't understand the rationale for that. Either the same hearing officers hear this stuff from beginning to end, or they don't.

As I indicated, somewhere along the line they're going to have a hearing in some hotel where they're going to hear from everybody. In other words, all the participants from the different regions, all the parties from the different regions, are going to meet together in a hotel and they're going to have one big free-for-all. I don't know. Notwithstanding the criticism of the process, of how this thing has been going, which has been chaotic

from the outset, notwithstanding that, I would have thought the same hearing officers would hear it.

That's what the first of the three or four amendments with respect to environment is going to do. That's the Consolidated Hearings Act. To be fair, it may well be that someone can explain to me that that's not the interpretation, but that's my interpretation. I guess that's one of the risks of putting through a bill of this magnitude, a crossing the t's and dotting the i's type of bill, because there's never adequate time for the government to explain properly what is being said in these bills. I'm sure other members, with other critic responsibilities, could find scads of other examples they're concerned about. I had a note from the Ontario school board association, which was critical of some sections of Bill 175.

**Mr Perruzza:** Which one? Public or separate?

**Mr Tilson:** Maybe the member who's speaking now would speak with respect to education when his time comes, about the concerns of the Ontario Public School Boards' Association. But there doesn't seem to be time being set aside to deal with other issues. Unfortunately, as I say, I restrict my comments to dealing only with those about the environment.

The second amendment has to do with an amendment to the Environmental Assessment Act, and it simply adds a section. It says, "The board"—the Environmental Assessment Board—"may sit jointly either within or outside Ontario with any tribunal established under the law of another jurisdiction."

I'm not too sure about the impact of that either. I understand there could be jurisdictions involving the federal government, but I understand there is a political issue with respect to Manitoba, and one gets worried about surrendering jurisdiction to other jurisdictions. I don't know the effect of all that, and I hope that before this is all out—I would just caution the government about getting into that without fully studying the impact of surrendering the jurisdiction of the province of Ontario by getting into other matters.

The Environmental Protection Act is also amended by adding the following section—to be fair to the Attorney General, it probably falls into the category of those sections she spoke of, housekeeping entries; I understand that, but I'm going to read it—"A document to be signed on behalf of the board may be signed by a member of the board or by a person authorized to sign the document under the board's rules of practice and procedure."

It sounds simple enough, I guess. Why not have staff sign things? The difficulty I have with that is that more and more, whether in federal government, provincial government, municipal government, or all the other agencies we have across this land, we as politicians seem to be assigning more and more of our jurisdiction to bureaucrats, to sign things, to do things. Maybe our life has become so complicated with the regulations we have put on top of ourselves that if we don't do that, it won't work.

I am one of those who get alarmed at delegating too much to bureaucrats. I believe that someone's got to be accountable in this system, so I worry about that type of system. More and more matters are being delegated to



people outside the system. This is a prime example. It deals with the appeal board and it may be simple enough, but it's just one more thing in which those people on the appeal board are delegating their authority to bureaucrats, a simple matter of signing things, and I for one have concerns about that.

The third amendment has to do with the Ontario Water Resources Act. This is a piece of legislation that has not been substantially reviewed in over 30 years, to my understanding. Mr Elston, the former member for Bruce, put forward a private member's bill last spring, I believe it was, which we debated in this House. The issue of water was discussed at some length during that debate. Specifically, his bill was concerned mainly with the issue of water being taken from specific areas and transported to other jurisdictions. The concern, the issue that was raised, was as to who should regulate this.

There are other issues that get involved with respect to water. More and more golf courses are springing up around our province. All of you who play golf may say that's great, but it takes a pile of water to keep the greens green. I can tell you, in my own riding there have been complaints of the watering of greens which in turn affect the ponds and the wells surrounding these golf courses.

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We are now worried about dumps, the whole issue of dumps. Whether you're a member for or against, I would hope that you'd be against these superdumps that are being created by the Interim Waste Authority, and hence the government, and the effect on our water. There are other areas in this province where there's the creation of dumps and the effect on our water.

It used to be, of course, that we were proud of our water, that this province had the greatest amount of water and the best water in North America. It's strange that in the last number of years we see a profusion of water companies; people buy water, they have water coolers in their offices, in their homes. So the whole issue of water—

**Mr Perruzza:** It's not fair. It's the Conservative septic tank policy that did that.

**Mr Tilson:** Listen, I'm talking about something. You people have been in government for four years and this is all you can do. This is all you can do with respect to water: a small amendment to the Ontario Water Resources Act. Do you know what you're going to do?

The sole matter that you're going to do is—this is your amendment—you're going to strike out the following words in the Ontario Water Resources Act, "Notice of hearing under subsection (2) shall state that the applicant, permittee or licensee is entitled to and...." That's it. That's all you're doing.

Yet for 30 years there has been no substantial review. I think specifically in the last decade—and don't start talking about George Drew or Bill Davis or David Peterson. The fact of the matter is that you people have been in power for four years and you have done absolutely nothing with respect to one of the most important commodities we have in this province, and that is water.

In fact you're doing exactly the opposite. You're

building three superdumps on aquifers that are going to affect the drinking water and the health of this province, and the best that you can do is in Bill 175 simply adding to sections. There are facts that are being put forward that all three sites of these superdumps are being created on underground aquifers. All of those areas are dependent on the water that comes from those aquifers, and you are going to put a dump on top of these aquifers.

It's fine to say that you have all this wonderful new technology. You've got, I don't know, double liners, triple liners, quadruple liners, whatever, and they're going to last forever. But meanwhile, I can tell you, the people of this province have a lot of concern about the effect of dumps on water, and that's all you can do, a simple little amendment, a housekeeping entry that the Attorney General has made.

I can tell you that I express great disappointment with the Minister of Environment specifically, because I assume he had something to do with the preparation of Bill 175, and that's the most that he can come up with with respect to the Ontario Water Resources Act: simply striking out a few words of subsection 47(5) of the Ontario Water Resources Act.

Why not review the whole system? Why not? We know that for the last decade something has been happening with the water system. I don't know, if we had a show of hands by the people in this room, how many people drink water out of coolers. How many people do? My guess is, that whole industry. I'm not saying there's anything wrong with it, but I think it's incumbent upon us to at least look at it and see what's going on.

Where's the water coming from? What's the effect on the area where that water's coming from? How is it affecting the underground streams and the aquifers where vast amounts of water are being taken out of those areas and transported to other provinces and the United States? There's even talk of taking water from Georgian Bay through a pipeline down to southern Ontario. There's a great concern about water in this province, and all you can do—

**Mr Randy R. Hope (Chatham-Kent):** We don't need that.

**Mr Tilson:** Well, I'm just telling you what is being discussed, that there's a concern about the water resource that we have and which we've all been very proud of, yet we continue to allow this to happen. It's getting worse. There are complaints that have come to my office—mind you, maybe they come more to my office because I'm critic for the environment—of people who are concerned with well drilling, the drilling for water, and the effect that's having on the surroundings. It seems to be that all you need to do is get a permit. The whole subject needs to be reviewed, the whole topic needs to be reviewed.

This isn't something new, what I'm saying. British Columbia has put forward a wonderful booklet which I would recommend that all of you get a copy of. This was sent to me actually by the minister of the environment in British Columbia, the Honourable Moe Sihota, a study that the province of British Columbia has undertaken called *The Stewardship of Water*. It's quite a detailed study. There are about half a dozen different booklets

dealing with a whole slew of areas: water conservation, water quality management, water allocation—

**Mr Perruzza:** It's a New Democratic government.

**Mr Tilson:** Yes, it's a New Democratic government. Why don't you people wake up? You've been sitting here for four years and have done nothing. We're not talking whether the New Democratic government has done something or whether the Conservative government has done something, or the Liberal government. I'm simply saying that the Ontario Water Resources Act—

*Interjection.*

**The Deputy Speaker:** Please make your remarks through the Chair.

**Mr Tilson:** Thank you, Mr Speaker. The Ontario Water Resources Act has not been reviewed in 30 years, and here's a government, British Columbia, that has at least started to look at it: water allocation, water management planning, managing activities in and about streams, water pricing, groundwater management, all of those topics.

I've looked at some of the booklets, the studies, that the province of British Columbia has spent on, and I would hope this province—I don't know whether you've got time to look at it, because you're only going to be there a short period of time, but you do have some time. Maybe you'll have an election in the spring. One of the favourite questions I have is: "When is the election going to be called? Is it going to be next spring? Is it going to be next fall?" But you still have time to look at this stuff, you still have time to commission a study to be looked at with respect to the stewardship of water.

Don't just do a housekeeping entry with respect to Bill 175 which simply takes a section out of the act. The whole act needs to be reviewed. The whole subject of water needs to be reviewed. The whole issue of water policy, whether on dumps, whether on golf courses, whether on the transportation of water from one area to another, the whole issue of well drilling, the whole issue of drinking water, all of these things need to be studied, because a lot has happened in the last number of years. A lot has happened in the last four years specifically.

I guess I'm expressing my frustration and disappointment which started during the debate on Mr Elston's bill, where at least he raised the subject. I didn't happen to agree with his philosophy because he had some law student review the legal ramifications; in other words, who owns the water? If you have a well in your backyard, do you own that water or does the state own that water? All of these matters need to be pursued.

As I say, Mr Elston's bill mainly dealt with the transportation of water and I think he felt that it should be controlled locally. I opposed that because I quite frankly think that specifically when you're hauling water, when you're taking water from the ground, it could come from an underground stream, it could come from an underground aquifer which goes outside the boundaries of the local municipality and could involve a number of municipalities. The other tragic thing of course is that something could happen up the way. The placing of a dump could have an effect on the water.

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**The Deputy Speaker:** Your time has expired. Questions or comments?

**Mr David Waininger (London South):** I know that the member for Dufferin-Peel has tried quite valiantly to find areas of controversy in this omnibus legislation which essentially now, I would submit, is quite non-controversial. The member for Dufferin-Peel highlights a section which would allow the Environmental Assessment Board to hold joint hearings with tribunals established under the laws of another jurisdiction.

Quite frankly, I would say to the member for Dufferin-Peel through you, Mr Speaker: This is not a case of surrendering jurisdiction to another province or state. In fact it permits evidence to be given once for the purpose of several hearings because the boards are sitting simultaneously. I would think that a Conservative of the member for Dufferin-Peel's ilk would find that quite appealing, that you'd be eliminating duplication in tribunal proceedings and that to deal with certain issues simultaneously before several tribunals in a unitary way, I would submit, would make a lot of sense, and should make a lot of sense, not only to the member for Dufferin-Peel but also to the public at large.

We hear again and again from the third party that we need to streamline government processes, we need to save money, we need to become more efficient. I would think this is exactly the direction the Conservative Party would support.

In regard to the member's comments as to how the last 30 or 40 years have passed without positive action in connection with water quality, I would submit that this government's achievements in the area of clean air, clean water and maintenance on a sustainable basis of our lands and resources has been second to none. It took until this government's tenure to even introduce an Environmental Bill of Rights, which certainly empowers the citizenry of Ontario.

**The Deputy Speaker:** Any further questions or comments?

**Mr Perruzza:** I just want a short opportunity to talk about some of the comments that the member made specifically having to do with the issue of water. I think I, as well as every other member in this Legislature, would probably agree that clean water is an objective which we all want to deal with and in fact be able to deliver on.

Later in this session, I suspect we will be dealing with a very broad piece of legislation that speaks to the issue of septic tanks. As you will know, Mr Speaker, and as the member will know—and I'm not going to point a finger on who allowed the current situation to happen. Obviously we've only been around for four years. There were other governments in power before us and the whole septic tank issue dates back many, many years.

As you know, there are about a million septic tanks in the province of Ontario, and I believe that Sewell, in his report, spoke to that issue and indicated that somewhere between 70% and 80% of those septic tanks are faulty and are leaking and contaminating our rivers, lakes and



streams. I would venture to say, having sat on the committee that undertook those hearings, that most septic tanks, if not all of them, are leaking, just simply in the way they are constructed. They're about as deep as the frost level. The frost acts on them and cracks them, and then they leak and contaminate our rivers, lakes and streams.

I would encourage the honourable member, as well as every other member in this House, that when we deal with that issue we deal with a very substantial issue and deliver on a bill that will go a long way to cleaning our water.

**The Deputy Speaker:** Any further questions or comments?

**Mr Tilson:** I appreciate the comments from the member for Downsview, although I guess my comments are the same as they were with respect to water. The only piece of legislation this government has brought forward—I think Mr Johnson, the member for Prince Edward-Lennox-South Hastings, brought forward a private member's bill on septics and he wanted all vendors in real estate transactions to certify that the septic systems were in good working order. I can tell you, anyone who lives out in the country, member for Downsview, knows that when the ground is frozen for six months of the year, that's literally impossible to do. In fact, in many cases the only way you can do that is to dig up the entire system.

As far as dealing with the septic systems, he is right: There are problems with septic systems in this province. But that seems to be the only area that this government has come forward in, and, to be fair, that was a private member's bill, but that seems to be the only area that this government in its mandate has done.

With respect to clean water, I have sat here for four years and I haven't seen any legislation with respect to clean water. I haven't seen anything, a study of the magnitude that British Columbia has undertaken with respect to studying all of the issues that I raised in my remarks. You people have sat on your fannies and done nothing for four years on this topic of stewardship of the water. I mean, don't mislead the public and say that you've done something. I have sat here, and nothing has taken place.

With respect to the Environmental Bill of Rights, well, I just remind the member of a statement that I read in the House, I think it was two weeks ago, on the issue of the Environmental Bill of Rights, which you brought forward with great fanfare. I wrote a letter to the Environmental Commissioner asking her to study the Flying Toad co-op on the Toronto Islands. You know when she said she's going to get to look at it? In 1998.

**The Deputy Speaker:** Thank you. Your time has expired. Any further debate?

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to join the debate on Bill 175 and to say I guess at the outset that I think this is a useful process. The members are all aware that what this is, to use our jargon, is an omnibus bill that is designed to handle a whole bunch of housekeeping and avoid the Legislature having to open 30 or 40 different bills and to debate each

of those bills. I think in a rapidly changing environment where technology, among other things, is changing as quickly as it is, this is a useful process and one that we can be supportive of.

As members may recall, the bill was introduced in the spring, and I didn't think there was enough time in the limited time in the spring for all of us to get input from interested parties, so it was delayed until the fall. I think that was a useful process and I think we can support an omnibus bill like this, one that speeds up the process, one that deals with, as the preamble says, non-controversial matters, and one that can save the public money. They're all good ideas. So I have no difficulty with the process, and in future years this government or a new government will probably want to employ a similar technique to be as efficient as we can in keeping the legislative bills in the province up to date. So the process is fine.

I think the specific major issue that we have with this bill—I gather the government has indicated it's prepared to withdraw the Advocacy Commission portion of the bill, which we welcome. We did feel that was a controversial matter. It was changing the original intent of the Advocacy Commission to make it what's called in our jargon a different scheduled agency, but that has a fairly significant impact on the authority the Legislature has over it and the authority to deal with it.

If that is the case, I appreciate it and I think that eliminates one of our major concerns in the bill. It is in line with the intent of a bill like this, which is to not try under the umbrella of an omnibus piece of legislation to slide something through that should and does deserve some intense debate. So I gather that is the intent, and I'll proceed with my comments on that assumption.

The second concern we have on the bill, and our concern would not be great enough to want to hold the bill up but just to express a concern, has to do with the whole issue of privacy. Throughout this bill, there are many examples of areas where we are moving to use electronic recording, electronic filing, electronic entering to speed up the process. Who, in the broad sense, can argue with that? We are into a new era. Surely, if we want to be an efficient servant of the public, we have to embrace technology and changing technology, so we very much, obviously, would support that. Theoretically, it should result in better service to the public, a more efficient use of the taxpayers' dollar and a speeding up of the process.

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Having said that, I want to indicate my own concern with the privacy aspects of this. There is no doubt that this is a growing and important issue. I applauded our privacy commissioner for his 1993 report in which he raises a very significant flag for us, quoting a Supreme Court decision from one of the justices:

"Our modern information society, where intimate details of one's life may be available through computerized information accessible to many more persons than those initially entrusted with the knowledge, the security that this information will be kept in privacy may be even more significant than one could have historically imagined. Yet, despite the sense of urgency, those who see

privacy as a fundamental human value are constantly on the defensive, fighting a rearguard action to recoup the privacy losses inflicted in the name of progress."

This is the information commissioner speaking: "We are witnessing the steady erosion of privacy through the creep of technology. Innovation such as photo-radar and [telephone] call management services are being adopted, apparently for good reasons such as traffic safety or consumer convenience, and government service cards are under development for the laudable aims of customer service and possible fraud reduction. But as surveillance increases on a piecemeal basis, privacy is also sacrificed bit by bit. One day soon, we could wake up and find ourselves in 1984"—of course talking about the famed novel. "To avoid this, we need a new privacy paradigm. Our society should insist that existing privacy rights be taken as inviolate. Those who propose to alter existing privacy levels should be required to demonstrate that the benefits to be gained outweigh the privacy to be lost."

I would just say that this bill, in many different areas, as the Legislature appreciates, calls for a dramatic increase in electronic filing.

Under the Land Registration Reform Act, it says regulations may be made under the new part of this act; they may regulate remote searches of the electronic land registration database and regulate the security of the electronic land registration system.

Under the Ministry of Health, I believe—certainly it is the act that permits the registrar general and the Ministry of Health to implement a single process for birth registration and enrolment in the Ontario health insurance plan. That's a good idea in the sense that surely we all agree that when someone passes away, they must be removed from the OHIP rolls, absolutely, and there should be a coordinated approach when someone is born. But we now have, maybe for the first time, cross-referencing between the registrar general and the Ministry of Health, so health records are beginning to be more broadly accessible.

Similarly, I think—I don't think, I know—in this legislation there are amendments to six company law statutes, all designed to help businesses' information be submitted, stored, maintained and retrieved in electronic format. I raise again this emerging issue of privacy protection. It was only earlier today in question period that I raised this matter with the government. We now have seen at least four examples where citizens' private information has been used publicly to discredit private citizens.

We saw it with the case of a doctor whose private information on billings was used to discredit the doctor. We saw it with an individual who was in the mining business, where his private business information, that should not have been made public, was made public inappropriately, perhaps illegally made public. We saw it in the case of a victim of the Grandview situation. For those of the public who may not be aware of it, it's a home in the Guelph-Kitchener area, and many years ago, victims were mistreated there. But the personal, private information of one of the victims was released publicly—released, I might say, by the Premier's office.

So we see what I regard as some of the most serious

cases where private citizens' private, confidential information somehow or other is being accessed and released publicly to discredit them. If the Legislature doesn't view that as one of the most serious, if not the most serious, charges against it, then we are out of touch, if we don't realize that one of the most feared things by the public is that the state begins to use its private information to attack them.

In the cases I cited, all those were individuals who were having a dispute with the government and the government was angry with them. The Rae government was angry that they were speaking out against it. So what happened? Surprisingly, somehow or other, private confidential information was accessed and released to discredit those individuals. I think the members will understand that I view that as serious.

**Mr Perruzza:** How can you say that with a straight face?

**Mr Phillips:** To the member across, now I appreciate that the true colours are coming out. Can you believe there's anything more serious than the government political staff accessing that data and then using that data to attack individual citizens?

I'll also use the example that twice there have been brown envelopes sent to the opposition. One, by the way, was very innocuous, a mistake. Someone simply put a government backbench briefing note in an envelope that happened to end up on the desk of one of our opposition members. But as soon as that happened, the police were called to investigate how that happened. It's very serious when the state uses its police force to investigate information that comes into the hands of duly elected official opposition members. It's dangerous. In my opinion, the police should never have been called in on a matter like that. It is clearly an attempt to intimidate. We shouldn't be using our police force in that manner. It puts them in an impossible, intolerable position. But that happened twice. For me it was fundamental: It should not happen.

Now we've seen four examples where the government has used personal, private, confidential information to attempt to silence four members of the public. I think the privacy commissioner is on to something. In this bill, we can see examples where we are continuing to expand the opportunity for the misuse of information.

I'll give you another example in here. There are amendments being proposed for the Ministry of Transportation. One of them is designed, it says here, to ensure that all licence plates have to be clearly visible and there can be no obstructions of them. One of the reasons for that, of course, is photo-radar, so that the photo-radar can snap them. As the commissioner points out, that is an intrusion of privacy. I saw the photograph that went out with the press release, and it was clear that the photograph of the car was more than the licence plate; it included the occupants in the car.

As we head to toll roads—and the first toll road in the province, as we all know, will be something called Highway 407, just north of Metropolitan Toronto—let me tell you how that works. You're going to buy a chit, and you put it in your car and each time you go through the electronic surveillance you get measured for it. But if you



don't have a chit, there's a camera that snaps a picture of your car. Well, that's another step. We've got photo-radar. Now we've got a camera photographing legitimate people. They're not speeding. They're simply entering the toll road, but they're going to be photographed and a record will be kept of it.

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When I place calls within the government, as soon as the phone rings, they pick it up and say, "Oh, hello, Mr Phillips," because they know it's my number phoning. Similarly, for all of us here in the Legislature, every call that comes into our office or goes out of our office is recorded. Someone knows who's phoning us. Someone knows who we're phoning. In opposition you're always talking to various people to find out their advice, their counsel on things, and it may be they would prefer that it not be broadly known publicly, but the phone call we make to them and the phone call they make to us is recorded. We are, without doubt, heading down a road that already, in my opinion, we've seen significant abuse of.

So the legislation that again I say is important to update our laws and regulations—there's nothing in here about protection of the information; it's all about expanding the information. There are at least four areas here, on the land registration, on the Ministry of Health, on the Ministry of Transportation, and on what's called consumer and corporate affairs, the Business Corporations Act, all where we are moving quickly to a much broader use of electronics, which of course is the contemporary thing to do, but we are opening ourselves to additional abuse.

I'll give you another example that illustrates where we're heading. I think now there is a program for low-risk prisoners who can be released with a leg bracelet on, and they are monitored to make sure they are within sound of their home. It's not a bad idea to save money, rather than incarcerate these people, but where does it end? Where do you end it? Alzheimer's patients maybe already are using them, I don't know.

We are heading down a road that this bill accelerates, there's no doubt of that, and it accelerates it in what's called an omnibus fashion. We're not going to debate that part of the bill. We're not going to debate the whole area of security and secrecy around corporate records, personal health records, around the use of photographs of your car.

The privacy commissioner pointed out that now all along the 401 cameras are monitoring traffic all the time, doing, actually, some worthwhile things. They've spotted more than one robbery taking place and have been able to intervene in those circumstances. I'm sure they've been useful in reconstructing how accidents have occurred.

But have no doubt, we are heading down a road very rapidly, and I take my hat off to the privacy commissioner for tabling that issue with us and urging the Legislature to begin dealing with it. I gather in at least one other province they have at least debated it quite significantly. Whether they've got the solutions or not is another matter.

The other challenge in the bill is what we had hoped

to see in the bill that isn't in the bill. While this bill was designed to speed things up, to help the public, to make things more efficient, to help ensure that the public understood government better, I would have hoped the government might have done some things around the issue of better reporting, now that they've got the information electronically available. The Provincial Auditor tomorrow may have some things to say about that, but this was a chance in this omnibus bill to bring our reporting of the finances in line with the true finances.

I think members of the Legislature know that the Provincial Auditor has said, "Listen, the way the NDP government is reporting the finances is in a way that the public simply doesn't have the numbers to allow them to assess the financial state of the province." The auditor was able to force the government last year to change the way it reports. The only reason he was able to force them to do that was that he wouldn't sign the books, he would not sign the books, so the government was forced to change its books and report a deficit \$1.6 billion higher than it had been saying before it changed the books.

But surprise, surprise, the budget we now have, the quarterly reports that are now coming out, don't reflect the auditor's comments at all. They're done on the old basis. The auditor will not sign these books. You can take that one to the bank. The auditor will not sign the books of the province unless they change them dramatically.

**Mr Larry O'Connor (Durham-York):** We did.

**Mr Phillips:** The member said, "We did." You didn't. The books of this province, the budget we are dealing with right now, the auditor will never, ever sign.

**Mr Kimble Sutherland (Oxford):** He signed the public accounts.

**Mr Phillips:** The member said he's signed the public accounts. Exactly my point. The reason he signed the public accounts, and the public should be aware of this, was because the government was forced, in what's called the public accounts, which are the audited statements that the auditor will comment on, to change the numbers and increase the deficit by \$1.6 billion. The auditor would not have signed the books otherwise.

But what's happened? The government continues to report the books in the old way for this year, and I am frightened that the government may actually attempt to present another budget using the old accounting technique.

I'll just give you a few examples of the flim-flam involved in it. Does everybody know that the government has sold the Frost building, the Macdonald building, all these government buildings around here? For the public who may not be familiar with them, if you go to the Legislature, the Legislature is surrounded by big government buildings. They've all been sold—not really. They have been sold to the government's own crown corporation and then immediately leased back. Well, the auditor won't permit that. That's a scam.

*Interjections.*

**The Acting Speaker (Mr Noble Villeneuve):** Order, please. We will have time for questions or comments later.

**Mr Phillips:** Thank you, Mr Speaker. I appreciate that.

The second thing they did—and of course it isn't me saying it shouldn't be done, this is the auditor. The government members don't like it. They can yell at me, but it's the Provincial Auditor who says: "That's unacceptable. That's not a sale. You've just transferred it from one hand to the other, gone out and borrowed \$500 million and shown it as revenue."

**Mr Winninger:** It's a matter of interpretation.

**Mr Phillips:** A matter of interpretation, yes. I take the Provincial Auditor's interpretation. You may take Mr Rae's interpretation; I take the Provincial Auditor's interpretation.

I'll tell you another thing they did. People may have seen the GO trains running around. They were all paid off. What happened? The government went to a Bermuda company and said: "Will you buy these trains from us? We will repurchase them, we'll buy them back from you instantly. You buy them and two minutes later we'll buy them back. You give us \$425 million and then we will commit to buy them back from you and repay you over 30 years."

What did it cost the taxpayers for that one little flip? It took about five minutes. The Bermuda company bought \$431 million worth of trains and then immediately, according to the government's books, it bought them back—instantly. It cost \$4.2 million. That was the fee we had to pay that company to do that little flip in 10 minutes. "Buy \$431 million worth of trains from us and then we will buy them back instantly." And that's what happened. Why? So the government could artificially show \$425 million worth of revenue.

The auditor also pointed out—and I was surprised that in the omnibus bill this wasn't outlawed—that the government went into the teachers' pension fund and actually took \$150 million of cash out of the teachers' pension fund. Unbelievable. I can remember when Premier Rae thought Conrad Black was ripping off the pension holders of the Dominion Stores because he attempted to go in—  
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*Interjections.*

**The Acting Speaker:** Order.

**Mr Phillips:** Now what's happening?

*Interjection.*

**The Acting Speaker:** The member for Scarborough-Agincourt has the floor.

**Mr Phillips:** Yes, I appreciate that. They are barking. But what happened? The government actually passed legislation. You couldn't have legally done what you did without passing legislation. There is only one way to legally do it, because the teachers' pension has about an \$8-billion unfunded liability. How could you get \$150 million out of it? By passing legislation.

**Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs):** What are you going to do, balance the budget in four years? Come clean.

**Mr Phillips:** There's the former Minister of Transpor-

tation, who was in charge of the GO train flip, the Bermuda flip. There he is, right there. There's the one. I don't know whether you were in Bermuda when we went over there. Whoever went over there sold the GO train—

**Hon Mr Pouliot:** It's none of your business.

**Mr Phillips:** Well, he says it's none of our business. I appreciate that. The Minister of Transportation says it's none of the public's business. Did you hear him say that? None of the public's business that they went over—

**Hon Mr Pouliot:** No, no, whether I was in Bermuda.

**The Acting Speaker:** Order. This is not exactly conducive to good parliamentary business. Please. The member for Scarborough-Agincourt has the floor. The government, or whoever, has the opportunity to question and comment pursuant to his remarks. The member for Scarborough-Agincourt.

**Mr Phillips:** The former Minister of Transportation says it's none of my business. It is the public's business. What happened? In 10 minutes the government went over to Bermuda, sold \$431 million worth of GO trains to a Bermuda company and then, according to the government's audit, immediately repurchased them, immediately bought them back. And what did the public, what did you people out there, pay? Some \$4.2 million.

Then the former Minister of Transportation says it's none of my business. It's all of our business that you would spend \$4.2 million to flip the GO trains in 10 minutes, all for the same price. Disgraceful.

I was on the teachers' pension fund. You could not have taken \$150 million worth of money, cash, out of the teachers' pension without legislation. It was illegal to do it. But what did we do a year ago? Right around this time, legislation was forced through the Legislature that permitted you to take \$150 million out of the teachers' pension fund. Luckily the Provincial Auditor said, "No, no, no, you can't do that." The Provincial Auditor forced you to back that up. Thank heavens for the Provincial Auditor.

The former Minister of Transportation did another little thing that the auditor said, "No, no, you can't do that." We have moved now to five-year drivers' licences. You all pay a five-year driver's licence now. Surprise, surprise: I wonder why that happened. The five-year driver's licence started in 1993, then 1994, then 1995. Surprise, surprise: Five-year driver's licence revenue will all be recorded in three years. Well, surprise, surprise: In 1996, in 1997, when there's a new government, there will be no driver's licence revenue. That's a big surprise. Why would they do that? The auditor pointed out you can't do that. The auditor said, "You can't do that." I would have thought that in this omnibus bill the government would have moved to correct that.

Oh, by the way, the auditor also pointed out that on the capital, there's a very unusual thing that's gone on with school and hospital and college and university capital. The provincial government used to provide grants of roughly \$600 million a year. That's about the province's cost for refurbishing the school and the hospital and the college capital. But what they did this time is they said: "No, we're going to do it a little bit differently.



We're going to move to what we'll call loan-based financing. We'll get the school board to go and borrow that money, but tell the school board not to worry. You go borrow the money but you tell whoever you borrowed it from that we will repay 100% of the principal and interest on that." The auditor says: "You can't do that. That's just like having your debt on someone else's books." So he blew the whistle, fortunately.

Those are a few examples of where the auditor blew the whistle. Actually, there was a total of \$2.3 billion of funny numbers in the budget that the auditor forced him to change. The government got it down substantially because they have increased their revenue estimates by about \$700 million and that kept the difference down to \$1.6 billion.

But I had hoped that when we were dealing with an omnibus piece of legislation with respect to the provision of services to the public, the administration of government and the management of government resources, almost the first thing we might have looked at in a bill was to get our books reported properly.

The auditor last year, for the first time in the history of the province, refused to give an unqualified opinion on the books, the first time it's ever happened. For those who don't follow all this stuff, he gave a qualified opinion and said, "Listen, the books don't properly reflect it, and furthermore, you're going to have to make a substantial change in them," and forced the government to make a substantial change in last year's books.

But surprise, surprise, the government isn't doing it right now, isn't reporting the 1994-95 finances properly, and believe me, the auditor will not sign these books. My fear is that they actually are going to try and present a 1995-96 budget on the old basis, not using the auditor's recommendations.

Bill 175 is deficient in those areas, and I hoped that we could have seen those areas covered when we're looking to improve the efficiency of government.

**The Acting Speaker:** Now comes the time for questions or comments.

**Mr Winninger:** I listened very attentively to what the member for Scarborough-Agincourt had to say about the bill itself. Quite frankly, he had very little to say about the bill itself, and that's because I believe that his party now treats most of the substantive elements of this bill as not ones of controversy.

He spoke a great deal about budgetary matters because he is the critic for Finance, of course. I think that he's probably dead wrong when he points the finger of blame at this government because, as the people of Ontario well know, when the Liberals called their early election in 1990, they knew that the cupboard was bare. They ran on a platform that said they were able to balance the budget, they were the great money managers, but when we got into government we found that the cupboard was not only bare; there was a deficit growing by the day, starting at, if I recall correctly, \$350 million, which rapidly grew. So I don't think the member should set up his party as being the brilliant money managers. They were the party that got this province into debt, despite the fact that they were

in government during the most prosperous five years, probably, that this province has ever seen.

One of the other points that the member raised was in regard to photo-radar. He suggested that it was our photo-radar legislation that made it an offence to obstruct a licence plate. Well, quite frankly, under subsection 139(7), it was previously an offence to have a dirty or obstructed licence plate. Our legislation didn't change it. But what our legislation did do was to make the roads a lot safer for the motorists of Ontario and decrease the expense both in human and economic terms: That's \$9 billion a year, 90,000 injuries, over 1,300 deaths on the highway. Photo-radar and graduated licensing—

**The Acting Speaker:** Your time has elapsed. Thank you.

**Mr Winninger:** —will bring this down.

**Mr Steven W. Mahoney (Mississauga West):** I'd like to congratulate the member for Scarborough-Agincourt. I have a document here which is interesting. It's Treasury Watch. I understand that the Treasurer of the province actually reads this with some regularity. It's put out by the member for Scarborough-Agincourt, our Finance critic, and usually is more accurate, actually, interestingly enough, than even the government documents.

I would remind the member opposite, who tries to perpetuate the fraud upon the people of the province of Ontario, that there was something about the cupboards being bare. I remember at the first press conference, when a reporter said, "Mr Laughren, did the Liberals lie?" Mr Laughren said, "No, nobody lied."

The fact of the matter is that a \$2-billion deficit was created by this government, not all of it, I will admit, through your own fault. There was a \$700-million loss of revenue due to sales tax not coming in as a result of the recession. There was a \$400-million loss of revenue from land transfer tax, because the real estate market fell off the table.

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Then the government decided unilaterally to pre-pay and pay down a mortgage debt that was not due called the Urban Transportation Development Corp in Thunder Bay, another \$400 million that you conveniently put on the books and tried to pretend it was our fault.

Then you sold for the first time SkyDome of course and paid it off. Then in subsequent budgets and financial statements, you did it twice more. You've sold the SkyDome three times and declared it as revenue in your phony treasury documents.

*Interjection.*

**Mr Mahoney:** Don't talk to me about keeping different sets of books. That's what you people do. Laughren has his own set of books which the auditor refuses to sign. That's absolute precedent-setting, showing the mismanagement of this government.

**Mr Perruzza:** Just in response very quickly to some of the comments that the member made, I can't help but respond to some of those comments. My honourable colleague who addressed some of those arguments a short while ago in fact raised many of the points which I wish

to speak to as well, simply the fact that prior to our government getting elected, the former Liberal government governed in very, very good times. They had all kinds of revenue coming in. They taxed just about everything they could get their hands on.

I remember very vividly the commercial concentration tax, something which we had to essentially rescind or get rid of. It was a tax that was suffocating business. It was a \$1-per-square-foot tax on every commercial enterprise within the city limits and the surrounding area. We had to get rid of that tax. So they taxed a lot.

They told us there was going to be a surplus in the budget of \$39 million, or something to that effect. In fact, there was a \$2.5-billion or slightly over \$2.5-billion deficit. That's what the auditor confirmed and that's what the auditor attested to.

They got us involved in all kinds of deals. I can recall the Dome deal. They said it was going to cost about \$150 million. That came in at a cost of well over \$500 million. Imagine that: telling the public of Ontario that you're going to do something for \$150 million and then it comes in at \$550 million and change, giving all of the benefits to everyone else and leaving Ontarians holding the mortgage. That's a shame.

**The Acting Speaker:** We can accommodate one final participant.

**Mr Phillips:** I appreciate the opportunity to put on the record something that has to do with surpluses and deficits, because it seems we're into that issue.

The Provincial Auditor—and this is the individual who I think most of us have confidence in—here's what the Provincial Auditor said about deficits and what the NDP inherited. This is from his report in 1991. He says: "Ontario has had only one surplus in the last 20 years." That was the year ending March 31, 1990. That was about five months before the NDP took power. Only one surplus in 20 years.

I always say to my Conservative friends, it surprises me they went 15 straight years and never balanced the budget, in good times and bad times; but only one surplus in 20 years.

Then the auditor goes on to say, "We realized that there was going to be a second straight surplus," and that's what happened. Heading into the election, there was going to be a second straight surplus. The auditor then says, "I went into detail to find out why it went from a planned surplus to a \$3-billion deficit," because that's what happened. Only one surplus now in the last 25 years, the year ending March 31, 1990. The government of the day said, "Yes, there will be a second surplus."

The auditor explains that there were three reasons why it went from a surplus—which the auditor says at the time the budget was presented was reasonable; the auditor says it was reasonable to expect a surplus. Revenues, the auditor says, dropped by \$1.1 billion because of the extent of the recession, unforeseen when the budget was prepared; social assistance costs went up \$900 million; and the government chose to write three things off that weren't due. The auditor explains in detail how you had

just inherited a surplus five months before you came to office and now we've had four straight years with \$10-billion, and more, deficits.

**The Acting Speaker:** Further debate on the second reading of Bill 175?

**Mr Winninger:** As this debate draws to a close, I'm pleased to remind the members and also the public of the words of the Attorney General in introducing this bill on first reading and what are the primary objectives of Bill 175. First of all, as times change, so must our laws. We have to keep step with demographic changes, economic changes, changes in technology, standards of conduct. That's what Bill 175 is all about.

Our legislative calendar, moreover, is frequently crowded with matters of a weighty or urgent nature, and necessary and important legislative changes, perhaps more mundane changes, frequently have to take a back seat. Other provinces on a regular basis introduce omnibus bills like Bill 175 to update their laws, and it seems fitting that Ontario adopt a similar course. I look forward to other omnibus bills similar to Bill 175 that will update the many and varied laws that are needing change.

What Bill 175 does in essence is improve government efficiency, improve the use of government resources, reduce costs, and it strengthens the way government works, all of which will enure to the benefit of the public.

Over 100 statutes will be amended, affecting approximately 17 different ministries. Our rules and procedures will be modernized to keep pace with advancing technology. We all well know the advent of the electronic highway, and it's important that the government in its own operations is able to take advantage of advancing technology.

At the same time, this legislation cuts red tape and duplication. It's good for business. It allows business to circumvent a number of different filings they had to do in the past, and do it in a more electronic and modern way.

We also respond in this legislation to recent court decisions calling upon the government to change its laws to modernize them and respect people's civil rights.

We will now have a provision for electronic filing of data.

The registrar general will better coordinate its data collection with the Ministry of Health to prevent health card fraud.

People with disabilities will be able to book return taxi fares where municipal bylaws may presently prevent them from doing so.

Electronic contracts are now recognized. In the past there had been some doubt as to the validity of agreements entered into by electronic transmission.

Food-grading standards, provincial and federal, will be harmonized. I know that's a matter of some importance to the Speaker, who comes from a rural riding.

As well, the Farm Products Appeal Tribunal will assume the appellate jurisdiction of three other tribunals, which will allow one-stop shopping, if you will, will



lower costs and make service more efficient when people are appealing from decisions under 13 different agricultural statutes.

As well, people who are appealing to the Assessment Review Board, for example, will no longer have to file and refile an appeal each year until a decision is made. The filing of one appeal will suffice under this legislation.

No longer will the coroner have to investigate every single death in a nursing home. The coroner will have discretion as to which deaths should be investigated.

Statutory tribunals will be able to operate more efficiently. Their ability to teleconference instead of having oral hearings is recognized in this compendious legislation.

There are a number of innovations in this legislation which the public will find very appealing indeed. For example, a lawyer will be able to conduct a search of title using a modem and a computer rather than going to the registry office.

These are all changes that are, if you will, mandated by changing technology, and this government has shown its commitment to keep up with changes in technology.

Despite the occasional objection or reservation voiced by the critics for the parties in opposition, on the whole, it appeared to me—and I sat through their remarks—that the member for Oriole, the member for Willowdale and today the member for Scarborough-Agincourt support in principle an omnibus bill such as 175.

While there are certain minor amendments of a technical nature that will be introduced at committee, it is my hope that this legislation will proceed on an uncontested

basis, particularly since the government has responded to the concern voiced by the member for Oriole in regard to the form and structure of the Advocacy Commission under the Advocacy Act.

Ultimately, Mr Speaker, you and the people of Ontario can rest assured that this particular bill, Bill 175, will indeed make government operations more efficient, will save costs and result in a better use of government resources.

**The Acting Speaker:** Questions and/or comments? Further debate on second reading of Bill 175?

The Attorney General, Mrs Boyd, has moved second reading of Bill 175. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

Shall the bill go for third reading?

**Hon Mr Charlton:** Committee of the whole House.

**The Acting Speaker:** Committee of the whole House. Agreed? Agreed.

**Hon Mr Charlton:** I move the adjournment of the House.

**The Acting Speaker:** The government House leader has moved adjournment of the House. Is it the pleasure of the House that the motion carry? Carried.

This House now stands adjourned until tomorrow, November 15, at 1:30 of the clock.

*The House adjourned at 1634.*

## ERRATUM

No.	Page	Column	Line	Should read:
153	7603	2	22	We're grateful for that.

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms/Sergent d'armes: Thomas Stelling

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Algoma-Manitoulin	Brown, Michael A. (L)	Halton North/-Nord	Duignan, Noel (ND)
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Chatham-Kent	Hope, Randy R. (ND)		
Cochrane North/-Nord	Wood, Len (ND)		
Cochrane South/-Sud	Bisson, Gilles (ND)		
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Don Mills	Johnson, David (PC)		
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Eglinton	Poole, Dianne (L)		
Elgin	North, Peter (Ind)		
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Fort York	Marchese, Rosario (ND)	London South/-Sud	Winninger, David (ND)
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Guelph	Fletcher, Derek (ND)	Mississauga East/-Est	Sola, John (Ind)
		Mississauga North/-Nord	Offer, Steven (L)
		Mississauga South/-Sud	Marland, Margaret (PC)
		Mississauga West/-Ouest	Mahoney, Steven W. (L)



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Perth	Haslam, Karen (ND)	Waterloo North/-Nord	Abel, Donald (ND)
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Prince Edward-Lennox- South Hastings/	Johnson, Paul R. (ND)	Willowdale	Lessard, Wayne (ND)
Prince Edward-Lennox- Hastings-Sud		Wilson Heights	Sorbara, Gregory S. (L)
Quinte	O'Neil, Hugh (L)	Windsor-Riverside	Malkowski, Gary (ND)
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S-D-G et Grenville-Est		York East/-Est	
St Andrew-St Patrick	Vacant	York Mills	
St Catharines	Bradley, James J. (L)	York-Mackenzie	
St Catharines-Brock	Haeck, Christel (ND)	York South/-Sud	
St George-St David	Murphy, Tim (L)	Yorkview	

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 15 November 1994

# Journal des débats (Hansard)

Mardi 15 novembre 1994

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers



*50th anniversary*

*1944 – 1994*

*50<sup>e</sup> anniversaire*



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 15 November 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 15 novembre 1994

*The House met at 1331.*

*Prayers.*

## ANNUAL REPORT, PROVINCIAL AUDITOR

**The Speaker (Hon David Warner):** I beg to inform the House I have today laid upon the table the annual report of the Provincial Auditor of Ontario covering audits completed through 1994 and invite all members to welcome to our chamber, and seated in the gallery, the Provincial Auditor, Mr Eric Peters.

## MEMBERS' STATEMENTS

### 4-H DAIRY SHOW

**Mrs Barbara Sullivan (Halton Centre):** Yesterday the Scotiabank Hays Classic, which is the penultimate 4-H dairy show in Canada, was concluded at the Royal Agricultural Winter Fair. It was indeed an extremely fine show, with close to 300 young people from eight of Canada's 10 provinces competing.

Each had concentrated time and effort over many months on selecting, feeding, maintaining records, grooming and training their cattle, and each competitor was selected from his or her own county or region on the basis of their success and accomplishment at local and regional fairs.

The competitors worked as a team with others from their areas and cooperated in ensuring that their county exhibits were the best they could be.

Caden Chalack from Calgary exhibited the grand champion heifer at the show, a deep and leggy summer yearling bred by Acme Holsteins of Carstairs, Alberta. The champion showman was Barclay Phoenix of Durham West county, with Connie Bennett of Halton being reserve champion.

The team exhibit of best of three animals in the show went to exhibitors from the Waterloo county 4-H club. The herdsman exhibit was won by 4-H'ers from Lambton county, whose hard work on a continuing basis at the Royal won them the judges' nod.

I'm very proud that my own 4-H'ers from Halton county were presented with the overall championship club award for the calibre of their animals, their showmanship, their prowess as herdsman and their teamwork. For us in Halton, it was once again a very proud day.

For young people from across Canada, the show is an extremely fine effort, and I hope that all members of the House will join me in honouring 4-H'ers from across Canada.

## HYDRO RATES

**Mr Leo Jordan (Lanark-Renfrew):** I direct this statement to the Minister of Environment and Energy. I would like to draw his attention to an energy policy that is being considered by the Oshawa Public Utilities

Commission. In keeping with our plan to freeze Ontario Hydro rates for five years, I think their plan is also a commonsense approach that could actually reduce the power rates of every customer in Ontario.

I am referring to a dual metering system which would measure power consumption during peak and off-peak periods. This type of meter would allow the utility to charge cheaper rates during off-peak periods. Much like the method used by the telephone companies, rates would be dropped in the evening and be further reduced during the night.

For a cost of \$300 spread over two years on the customer's hydro bill, each customer could purchase a meter that would record off-peak usage. Instead of just providing a rate reduction to large industrial customers, this system would boost small business and give individuals much-needed relief on their energy bills. We can do this at no cost to Ontario Hydro.

## CHINESE COMMUNITY

**Mr Rosario Marchese (Fort York):** I rise today as the member of provincial Parliament for Fort York to honour some outstanding Chinese Canadians who have contributed greatly in helping to make Ontario a better place in which to live.

As legislators, it is important that we recognize special individuals who so willingly give their time and effort to community service, for without them our neighbourhoods would suffer from a lack of community, social and economic development.

I would like to take this opportunity to welcome the following distinguished guests to the House: Afonso Chan, vice-president of the Toronto Macau Club; Wan To Cheng, chair of the Toronto Hong Kong Macau Fellowship Association; Willy Cheng, president, Shing Wah News; Yik Hon Cheung, vice-president, Hong Kong Association; Ken Chong, president, Ship Thoy Yuen Benevolent; Linda Fang, president, Chinese Women's Association; Hung Chow Fung, president, Hung Chow Fung Fine Arts Studio; Lee Shu Ham, director, Chinese Canadian Intercultural Association; Kenneth Keng, president, Chinese Community Centre of Ontario; Chan Yiu-Kuen, chair, Chinese Canadian Intercultural Association; Stephen Lee, director, Toronto Hong Kong Macau Fellowship Association; Philip Leung, president, Toronto Hong Kong Macau Fellowship Association; Wan Qoi Lim, president, World Kwantung Association; Jeffrey Lo, president, Chinese Artist Association; Moon Lum, honourable chair, Chinese Community Centre of Ontario; On Po Sze, president, Chinese Canadian Intercultural Association; Hin Cheung Tam, president, World Chu Lun Association; Peter Wong, director, Toronto Chinese Business Association and Bank of China.



It gives me great pleasure to rise in the House today to recognize these individuals and others like them who work so tirelessly in our community.

#### ANTI-DRUG STRATEGY

**Mr Tony Ruprecht (Parkdale):** We find it very strange that the minister responsible for the provincial anti-drug strategy is not acknowledging the importance of National Drug Awareness Week, November 13 to 19.

The Ontario Multifaith Alliance Against Drug Abuse and the Ontario Drug Awareness Partnership have kicked off National Drug Awareness Week this week. Normally, the minister responsible would address and encourage Ontarians to maintain and develop a strategy so that the human misery which is continuing in terms of drug abuse is somewhat reduced.

But we should not be surprised that there is no strategy and that there is no announcement. Where, we'd like to ask, are most of the recommendations? Were they shoved under the carpet? We all know the recommendations that were made by three reports to Ontario in order to (1) increase treatment centres—where is the funding? (2) get tough with drug pushers—where are the new proposals and the new laws? (3) educate our children against drugs—where are the policies?

It seems to us that this government is bankrupt of ideas, and this is only one announcement of many that is not forthcoming. I hope that it will very quickly.

1340

#### MUNICIPAL LEGISLATION

**Mr Allan K. McLean (Simcoe East):** My statement is for the Minister of Municipal Affairs and concerns the seriously flawed attempt at revamping Ontario's planning and municipal statute laws. I spoke and voted against this legislation on second reading because the impact of Bill 163 is difficult to measure, due to the sheer complexity of the reforms.

Minister, you simply cannot deny that most of those appearing before the standing committee on administration of justice reflected the views presented by the Association of Municipalities of Ontario. That organization initially welcomed reforms to Ontario's Planning Act, Local Government Disclosure of Interest Act and the Municipal Act.

AMO representatives told us Bill 163 contains some fundamental flaws and will not lead to any significant improvements. AMO also indicates that while the legislative amendments contained in Bill 163 are a step in the right direction, they fall significantly short of fulfilling the principles of reform.

You even agreed that Bill 163 is seriously flawed—so flawed, in fact, that you brought forward more than one half of the more than 200 amendments introduced at the justice committee hearings.

I regret that the minister's urgency in rushing Bill 163 through this Legislature clearly shows he has little regard for the views or the concerns of Ontario. Can't you take the hint that more than 200 amendments prove your legislation is beyond comprehension?

The indications are it could cost up to \$9 billion over the next five years to implement the plans in Bill 163.

#### SAULT STE MARIE BUSINESS

**Mr Tony Martin (Sault Ste Marie):** I would like to personally congratulate all those individuals in my constituency of Sault Ste Marie who were elected to office yesterday, and I would also like to thank all those who participated by seeking office but were not successful.

Today, I would like to recognize all the small businesses in the Sault that have struggled and stayed viable through a very difficult economy. The Sault Ste Marie Chamber of Commerce has shown great leadership in our community by supporting, servicing and organizing events so that these enterprises might thrive and prosper.

On October 27, the chamber presented its annual awards honouring local entrepreneurs. I would like to extend my personal congratulations for their achievements to Tony Ruscio of the Ramada Inn and Convention Centre, David Cook of M&M Meat Shops, Brian Irwin of the Business Development Centre, Suzanne Thompson, Herbert Lash of H.R. Lash, Debbie MacDonald of Algoma Furniture, Linda Kulmala of Healthwares Medical Canada, Udo Rauk of the Queenstown Association and Rod Goodall of Aladdin Carpet Cleaning.

Thank you on behalf of Sault Ste Marie and the province for your efforts towards making our community stronger.

Tomorrow evening, the chamber of commerce, in partnership with the Jobs Ontario broker, as part of their business after 5 program, will hold an appreciation night in recognition of those businesses and workplaces in our local Jobs Ontario Training program. We want to thank everyone involved in Jobs Ontario Training in the Sault and Algoma for making it one of the most successful programs in the province.

#### LONG-TERM-CARE REFORM

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I rise today to express my deep concern with the NDP government's disregard for the value of service provided by non-unionized and volunteer workers in this province.

Yesterday, the government introduced an amendment to section 15 of Bill 173 which would mandate multi-service agencies, the cornerstone of the long-term-care reform presented by this NDP government, to choose unionized workers before considering any or all other classes of workers in this province when filling jobs in the future.

While we in the Liberal caucus recognize that excellent service is provided day after day and year after year by unionized workers, we cannot condone discrimination against any worker presently providing service in long-term care.

Amendments to section 15, as proposed late yesterday by the NDP government, will perhaps eliminate, will certainly place last in line, thousands of qualified, experienced workers who are today providing services in their communities.

With this latest amendment, the government is saying to volunteers and experienced, qualified, non-unionized workers, "You're not welcome in long-term-care reform." They are saying that regardless of the quality of care the workers are presently providing: "Quality of care be

damned. The recipients of long-term care will no longer need your services or desire them."

#### MacCULLOCH DANCERS

**Mr Noble Villeneuve (S-D-G & East Grenville):** Today, I am most pleased to give tribute to the MacCulloch Dancers based in Glengarry county. The MacCulloch Dancers recently represented Canada at the China International Folk Art Festival in Beijing and at other folk festivals across China. This group of 20 dancers aged 15 to 19 and one piper from eastern Ontario was invited by the China Federation of Literary and Arts Circles after Cornwall's Worldfest/Festimonde in July 1993. Canada was one of 16 countries present from four continents. With a total of 19 performances, the MacCulloch Dancers had a combined live audience of over 360,000, as well as television coverage across all of China.

Under the direction of the group's founder in 1955, Mrs Rae MacCulloch, and her daughters, Helen Forbes and Deborah Wheeler, the dancers spent a year in preparation and fund-raising for this three-week tour.

It is only proper that we recognize their achievements here today. The dancers, musicians and directors are Tara Barton, Margaret Bush, Alana Cameron, Melanie Codie, Donna Downing, Heather Forbes, James Forbes, Kendra Forbes, Cindy Gillette, Shawna Hamilton, Laura Hill, Rae MacCulloch, Leigh Ann MacEwen, Melinda Main, Erin McIntosh, Kimberly McKay, Patricia McKay, Joy Nichol, Colleen O'Brien, Jennifer Ogilvie, Allison Stewart, Elisabeth Tauvette, Amy Wood and Jenny Wood.

Congratulations on a very successful tour as our ambassadors.

#### MUNICIPAL GOVERNMENT

**Mr Anthony Perruzza (Downsview):** I would like to congratulate all of the winners and challengers in yesterday's municipal and school board elections. In looking through the newspapers today, you readily see that local government in Metro Toronto and the surrounding areas is at a level that can no longer be supported. By my count, there are 11 mayors, 142 councillors, 164 trustees—in total, 317 local representatives, many of them part-time positions with full-time pay. This includes only a fraction of the surrounding municipalities and does not include Hydro commissioners.

As a former councillor and trustee in the Metro area, I can tell you that this many representatives makes local government inefficient and costly, not to mention the massive amount of duplication.

I call on the Minister of Municipal Affairs and the Minister of Education to initiate a process whereby we review local governance in the Metro and greater Toronto area, with a view to streamlining the number of representatives and to making government more efficient, less costly and more representative. This is a debate that can no longer wait. It must begin now.

#### MEMBER'S PRIVILEGE

**Mrs Barbara Sullivan (Halton Centre):** I rise on a point of privilege, Mr Speaker: I believe that the privileges of myself and other members of the standing committee on social development have been breached in connection with information that is being put before the

committee which now appears is incorrect.

Some time ago in the debate, through the intervention of the Senior Citizens' Consumer Alliance for Long-Term-Care Reform, a document was placed before the committee, prepared by Price Waterhouse, entitled A Comparison of the Administrative Component of the Current and Proposed Home Care Systems in Ontario. That was placed before the committee on August 31.

#### 1350

The government has based its arguments on the cost-efficiencies identified in the report and has continued to rely on the report and quote from it, in the absence of its own studies. Today, we have received a copy of a letter written to Mr Ted Ball of the Senior Citizens' Consumer Alliance which reads as follows:

"Several concerns have been raised about the approach followed in our report for the Senior Citizens' Consumer Alliance titled"—and I have given you the title. "Our firm is withdrawing the report. We will review these concerns and reissue the report with appropriate changes to the cost-impact methodology."

The report was so significant in the deliberations of that committee that in my view the committee members have in fact been misled by the original report, and I would urge you to take into consideration how the effect of incorrect information which was included in that report would affect the deliberations of the committee, which of course is now deeply into clause-by-clause consideration of that bill.

**The Speaker (Hon David Warner):** To the member for Halton Centre, while I appreciate very much the point which she has brought to my attention, she will know that this is, as she has correctly identified, a matter that is currently before a committee, and indeed the committee has a responsibility to deal with concerns that are raised by members of the committee. There is no particular role for the Speaker in this matter, but the member may wish to raise this at her first opportunity when the committee meets next.

#### ORAL QUESTIONS

##### FINANCIAL PROCEDURES

**Mr Gerry Phillips (Scarborough-Agincourt):** Today, as I think members know, we have what can only be described as a damning report by the Provincial Auditor raising serious questions about the NDP's finances.

The auditor's report says that the government is using improper and incorrect numbers to report the 1994-95 deficit. The auditor has also said the NDP government is not giving the actual financial performance to the people of Ontario for 1994-95. The auditor says that if you used proper and correct numbers, the 1994-95 deficit would be \$2 billion higher. The auditor is saying the numbers you are using are unrealistic. All damning comments, specific comments, by the auditor.

My question to the Minister of Finance is this: Will you commit today to provide the Legislature with a revised 1994-95 statement of the finances of the province, as requested by the Provincial Auditor?

**Hon Floyd Laughren (Minister of Finance):** I guess that when the Provincial Auditor has a lot of good things



to say about the government, all the opposition can do is exaggerate their own concerns, because I can tell you that I have read a lot of provincial auditors' reports over many years and I would rank this one up there at the top with any list that you'd care to draw up.

Let me remind the member for Scarborough-Agincourt exactly what the Provincial Auditor had to say about the audited financial statements of this government for the year ended 1993-94:

"In my opinion, these financial statements present fairly in all material respects the financial position of the province as of March 31, 1994, and the results of its operations and the changes in its financial position for the year then ended, in accordance with the stated accounting policies as set out in the 'Summary of Significant Accounting Policies' which forms an integrated part of these financial statements.

"These financial statements have been prepared, as urged by me last year, on an accounting and reporting basis which is in accordance with standards for good practice in accounting and financial reporting by Canadian governments."

So you can say all you want about the way in which this government prepares its financial statements. We are doing exactly—exactly—what the Provincial Auditor has requested us to do, and we will continue to do that.

**Mr Phillips:** The auditor couldn't have been clearer. This province has two sets of books: one the auditor will sign, one the auditor won't sign. The books that you're keeping, the auditor will never, ever, ever sign. He says in his report that it is \$2 billion higher than you're reporting. We have two sets of books. It is crazy. I guarantee you that if this were a private company, there is not an auditor in this province who would sign the books, the company would be delisted from the Toronto Stock Exchange, and the directors would be, at the very least, fired. We have two sets of books. It is ridiculous.

The auditor says you are incorrectly reporting about \$1.9 billion worth of what you call loans receivable, but which are really grants. The auditor says that you are out by \$2 billion. The auditor was very specific. The 1994-95 budget is out, according to the auditor, by at least \$2 billion. You have a set of books, Treasurer, that the auditor will not sign.

**The Speaker (Hon David Warner):** Could the member pose a question, please.

**Mr Phillips:** My question is this: Will the government commit today to stop this charade? You're losing your credibility. It is a charade to have two sets of books. Will the Treasurer today commit to having one set of books, the set of books that the auditor will sign?

**Hon Mr Laughren:** The member for Scarborough-Agincourt is becoming silly, if I might say. I have here in my hand—

**Mrs Barbara Sullivan (Halton Centre):** There is nothing silly about those books.

**Hon Mr Laughren:** I have in my hand the Office of the Provincial Auditor 1994 Annual Report, which is what we're dealing with. The Provincial Auditor says, "For the year ended March 31, 1994," which is the year

in which he's auditing the financial statements of this government, "this opinion"—the auditor's opinion—"which was expressed without reservation, is reproduced as follows...."

I just quoted from that in response to the first part of the member's question, and it's signed by Erik Peters, FCA, Provincial Auditor. The Provincial Auditor has signed off completely, without reservation, the books of this province. The sooner the member for Scarborough-Agincourt understands that, we'll all be better off, because I can tell you, there is only one set of books in this province. This is it.

The financial statements that we tabled last month are the financial statements for the Ontario government for the year ended 1993-94. We could hardly have a set of financial statements for the year 1994-95. That fiscal year isn't over yet. So what is the member for Scarborough-Agincourt raving about?

**Mr Phillips:** I'm sure the people in the province will understand that the 1994-95 books are cooked. The only reason the auditor signed the books was that he forced the government to change its reporting and increase the deficit by \$1.6 billion. That was the only way the auditor would sign the books. He forced the government to do it. Now we see that this year the finances are being reported in a way that the auditor clearly will not sign.

I don't use this language very often, and I use it cautiously, but the set of books that you are presenting are cooked. The auditor can't sign them. The auditor won't sign them. The auditor says right here that the deficit exceeds the 1994 budget by \$2 billion. The auditor says the 1994 budget that the Minister of Finance has presented is out by \$2 billion. The auditor is saying, when he signs the books, the deficit will be \$2 billion higher than the Minister of Finance is reporting right now for 1994-95.

I say it as strongly as I can: Your credibility, your trust as a government is at stake here. You are misreporting by \$2 billion the deficit of the province.

*Interjections.*

**The Speaker:** Order.

**Mr Phillips:** Will you acknowledge today that your books are wrong, the Provincial Auditor is right and the 1994-95 deficit is, as the Provincial Auditor says, \$2 billion higher than you are reporting right now?

**Hon Mr Laughren:** I don't know how many times I have to say it: The Provincial Auditor has completely signed off, without reservation, on the last set of financial statements that were presented by this government; completely, without reservation, on the only set of books that this government has. You can try and sow some kind of seeds of confusion out there but it's not going to work. Knowledgeable people know that the Provincial Auditor has signed off, and you can spread this nonsense all you like. It doesn't make it real.

At the request of the Provincial Auditor, we're moving to what's called an accrual and consolidation system of accounting. That's never been done before in the province of Ontario. I went back and I looked at what the deficit would have been when the Liberals were in office

under this way of reporting. Instead of a \$90-million surplus, which the previous government said it was going to report, there would have been a \$1-billion deficit. Now I ask you, would you get your facts right for once?

Secondly, that was the last full year they were in government. When we took over for the year 1990-91, when the deficit was \$3 billion—and we took office well into the year—under the new system of reporting, the deficit would have been not \$3 billion but \$5 billion. So I think the member for Scarborough-Agincourt better think twice before he starts throwing these silly accusations across the chamber when the auditor has completely signed off on the set of books.

1400

#### WATER QUALITY

**Mr Sean G. Conway (Renfrew North):** My question is to the Minister of Environment and Energy and it concerns water. Minister, I can't think of a more important responsibility which the Ontario government has than to ensure the provision of safe and reliable water to the people of Ontario. Today's auditor's report indicates that in 1992 a million Ontarians were receiving water from water treatment plants that had, according to the auditor's report, significant problems.

Will the Minister of Environment, responsible for water quality, tell this House today where those troubled water treatment plants were and which million Ontarians were at risk because of these problems, and will he also indicate what the nature of the risk was?

**Hon Bud Wildman (Minister of Environment and Energy):** I agree with my friend from Renfrew North that it is one of the most important responsibilities of the government to provide safe, reliable water for its citizens. That's why this government in the last three years has made an investment of three quarters of a billion dollars in funding through Jobs Ontario and the municipal assistance program to promote water conservation programs and capital expansions and upgrades of sewage treatment plants in the province, and water treatment plants.

The details of the report as provided by the Provincial Auditor we are currently studying, and we will be able to give the kinds of details that the member is requesting in future. I would say, though, that we are not certain from the auditor's report that all of the plants for these million residents to whom he refers were out of compliance on a continual basis. These might have been incidents. Some of them were, some of them weren't.

It's important to recognize that while this is a very serious matter, one that we take very seriously and we will act on, it's important not to give the impression necessarily that people were put at significant risk in all cases.

**Mr Conway:** The Minister of Finance properly asked the opposition to focus on the report, this auditor's report. Today's auditor's report makes plain that in 1992 nearly a million Ontarians were getting water from water treatment plants that were having significant problems. The auditor's report indicates that their follow-up audit done recently suggests that many of those plants were

continuing to have those problems and that the follow-up inspection report showed that.

My question to the minister responsible for water treatment in this province is this: Which plants specifically are having those problems, which million Ontarians are at potential risk because of these ongoing problems, and what, sir, have you done to inform those people and their municipalities that there may be a problem? What action have you taken specifically to inform the million Ontarians who apparently are at some considerable risk?

**Hon Mr Wildman:** The member will know that the ministry regularly informs the municipalities, and as a result of the inspections that have been done, we have allocated significant amounts of provincial funding to assist the municipalities to upgrade plants.

The member will also know that with provincial assistance, three sewage treatment plants in eastern Ontario have been extensively renovated. These plants had been continually out of compliance but now exceed provincial treatment quality requirements.

**Mr Conway:** I ask for a final time, this report raises a very real concern that upwards of a million Ontarians, as recently as 1992, are getting water from seriously troubled water treatment plants that are not up to standard. You know who those people are. Will you undertake today to tell those million Ontarians what plants are causing the problem, what specifically is the nature and the extent of the health risk and what specifically you and your government are doing to put those million people at less or no risk?

**Hon Mr Wildman:** I described what we are doing to put them at less or no risk, as the member requested. As he will know, the auditor himself in his report pointed out that the provincial government and municipalities are working together to deal with this problem, and specifically cited one municipality that, because of water conservation programs, has been able to improve its situation and particularly save taxpayers' money.

I will make a commitment to the member that I will review the auditor's report and will be able to come back and indicate what areas were in continual out of compliance and which ones were not, and which ones we have been able to respond to since the problems were discovered.

**The Speaker (Hon David Warner):** New question, the leader of the third party.

**Mr Michael D. Harris (Nipissing):** I too want to follow up to the Minister of Environment. I think that the public of Ontario are entitled to know the million Ontarians, the 10% of this population that have been at risk. When asked today, the auditor said there could very well be. We didn't know; they didn't know. So what the auditor is saying is that you didn't know at a certain point in time.

What I would like to know now, Minister, is since this is not news to you, your ministry will have known full well—

*Interjection.*

**The Speaker:** The member for Guelph is out of order.

**Mr Harris:** —that the auditor was making these



investigations. I want to hear from you, since it is your responsibility to notify the public when there is a problem or a potential problem, when did you know that a million Ontarians were at risk with their drinking water, and why when you found out did you not notify those million Ontarians?

**Hon Mr Wildman:** The member knows full well that this government has made a commitment of three quarters of a billion dollars to upgrade water and sewer plants across the province for the very reason that we are meeting our responsibilities to provide clean water for the residents of Ontario. We don't do that on an ad hoc basis. We do it on the basis of inspections of plants and determining which ones have to be upgraded.

**Mr Harris:** Let me ask you this very short specific question: Do you know of any single solitary one of 10 million Ontarians that the auditor identified who may have been at risk? Do you know of one, any one, as a result of the auditor's investigations?

**Hon Mr Wildman:** We know which plants were not in compliance prior to 1992, and it is because of those studies that we know which ones had to be invested in in order to upgrade. It is a fact that as of 1992 we made decisions on investment of taxpayers' dollars on the basis of the need to provide clean water to residents in the province.

The member knows also that the ministry would approach municipalities, the representatives of the electors, to indicate which plants were not in compliance and which needed to be upgraded. That was not secret information, it was public information, and the province and the municipalities made investment decisions on that public information.

1410

**Mr Harris:** When the Provincial Auditor was asked today to identify what communities are at risk, the auditor said it was the minister's responsibility. We too in this Legislature think it is the minister's responsibility to notify the public when they are at risk or potentially at risk. According to the auditor, once a problem has been identified at a water treatment plant, it takes on average 17 months to follow up—17 months while somebody could be drinking water that is potentially not up to standards.

Can you explain why for up to 17 months, and even longer in some cases, you have kept up to one million Ontarians in the dark? Second, will you not today notify publicly every single Ontarian who may be at risk as a result of drinking contaminated water?

**Hon Mr Wildman:** The member is fully aware that if there is a serious health problem, the ministry notifies the residents, and on certain occasions, in certain municipalities in this province, we've on an emergency basis transported water and provided bottled water. Also, we put restrictions—

**Mr Chris Stockwell (Etobicoke West):** When we were in control, you used to flip if we let them swim in it, and now you are making them drink it.

**The Speaker:** Order. The member for Etobicoke West, come to order.

**Hon Mr Wildman:** We put restrictions on swimming where necessary, as the member knows, on a temporary basis until we can upgrade the plants and bring them into compliance.

The member across the way says that it would take 17 months, according to the auditor, in order to respond. If he carries out the kinds of cutbacks that he's proposing in the Ministry of Environment and Energy, it'll take three years before they'll be able to respond.

**The Speaker:** New question, leader of the third party.

**Mr Harris:** Never have I heard a more holier-than-thou attitude. You're the minister. They're entitled to know.

**The Chair:** Order. Would the honourable leader of the third party place a second question, please.

#### JOBS ONTARIO

**Mr Michael D. Harris (Nipissing):** My second question is to the Minister of Education and Training, responsible for Bob's Ontario Training. The Provincial Auditor today, Mr Minister, confirmed what we've been telling you for months, that this program is not about creating jobs; this is about creating headlines for the NDP.

According to the auditor, you have no idea whether an employee under Bob's Ontario is eligible. You have no idea whether the people you claim to help are truly the ones who need the help. You don't even know if the people you claim to help have jobs. Minister, of the 60,000 people your propaganda blitz claims to have helped, exactly how many can you categorically account for and table with this Legislature who are actually being helped by this program?

**Hon David S. Cooke (Minister of Education and Training):** All the people who have qualified for this program and have been placed in work are on welfare or have run out of unemployment insurance. That's a fact. Those are the eligibility criteria. If the member wants to ask that question, obviously the answer to the question is, there are 63,000 jobs that have been created and people are being placed in those jobs. Those are the tens of thousands of people who are being helped in this province.

Even the Provincial Auditor indicates in his report, "Savings previously estimated were based on reasonable assumptions," and he's referring to the social assistance saving. The numbers we've been using, the facts we've been stating, have been confirmed by the auditor's report. Read the entire report. Read the praise in the report. Don't just make up your negative comments. Read the entire report, where there's a lot of praise for the responsiveness of our ministry when there were any criticisms that the auditor had levelled. All those criticisms had been responded to, and the auditor, I think, makes that perfectly clear.

**Mr Harris:** The auditor says you have no idea; he says you have no idea.

Clearly, one of the components of Bob's Ontario that requires attention is brokers. For example, can you explain why a broker—this isn't the employer, this isn't the employee, this is the broker—would have been given

as much as \$32 million as a cash advance, or nearly one 10th of the total program dollars spent to date? Why would you be shoving that amount of money into brokers' hands?

**Hon Mr Cooke:** I think the auditor made it clear that this was a problem at the beginning of the program. At the beginning of the program we were working with brokers, the program was being set up. The period of time this audit took place was at the beginning of the program and the implementation of the program. This was a legitimate criticism that the auditor has put into the report. He also indicated that we have responded to the criticism, so that doesn't happen any longer. It shouldn't have happened back when it did, and it doesn't happen any longer.

**Mr Harris:** According to the auditor's findings, this is not the case. On page 67, it says, "Only one broker visited had developed a formal strategy for acquiring and using its pre-employment funds in the most cost-effective manner." The auditor is clearly saying that not only was it a startup problem, it is an ongoing problem. According to the auditor's findings we might as well call this Brokers Ontario. Twenty per cent of the money you've spent to date has gone to pay for administration, \$55 million to brokers, nearly twice the original projection, yet in many cases, brokers are not providing audits or their auditor refused to provide an opinion.

I would ask you again, given the inherent problems with brokers in your program, can you tell us what criteria were used for contracting with these brokers? Who are they? What did they have to provide? Did they have to account for how they would have the money? What systems were in place? According to the auditor, none, and none still. Can you explain that?

**Hon Mr Cooke:** There are two points on this. First, it wasn't that long ago that your Education critic asked in the House why the administrative costs were 35%. Now the auditor comes in and says the administrative costs are 20%, administrative costs that include client intake and assessment, employer outreach and job development, training plan development, job matching, contract administration, monitoring. He's lumped in not only administrative costs but other client services that have to be provided to get individuals ready to get into the workplace. That is a fact. The 20% is not all administrative costs.

Finally, and again I know the leader of the third party hasn't read the entire auditor's report yet, but when he does, I'd like him to read page 64 where the auditor says, "We noted several good management practices in place to assess broker performance and to share best practices among brokers." It was not all negative, by any stretch.

1420

#### SOCIAL ASSISTANCE

**Mrs Yvonne O'Neill (Ottawa-Rideau):** My question is to the Minister of Community and Social Services. Minister, today the auditor released a scathing report on the administration of Ontario's welfare system. The auditor's report is clear: Welfare fraud is not the problem; your government's incompetence and mismanagement is. The auditor found that inadequate controls exist to

prevent overpayment from going out. As a result, more than \$90 million was overpaid in the welfare system. More than 150,000 people received overpayments and more than 40% of these have done nothing to repay them.

When my leader raised this question with you months ago, you suggested you had it under control. Today the auditor says you do not have it under control. Minister, will you admit today that the issues of fraud that plague us are there but that the issues of mismanagement and incompetence are greater? What have you done to prevent overpayment in the first place, and in the second place to recover those that have been overpaid?

**Hon Tony Silipo (Minister of Community and Social Services):** If there is one question a Liberal member should not be asking an NDP cabinet minister, it's on the issue of overpayments, and I'll tell you why. In 1989, we were keeping track of information centrally on the overpayments across the system. The Liberal government of the day removed the centralization measures from the system. Until recently, until we reintroduced those measures and put those measures in each of the area offices of the ministry, there was no way to keep track of overpayments across the province—as a result of actions taken by the Liberal government of the day, so that's the last issue they ought to be raising.

We have put in place controls across the system that tell us now that there are 104,000 cases where people are making repayments to the system. The case file investigation process that I reported on a couple of weeks ago reports very clearly on the results of the overpayment situation and many other controls we've put into the system to make sure the system is protected for those who most need it. That is an indication of the kind of importance we place on both maintaining good controls and the importance of the benefits we need to provide to the people who need them.

**Mrs O'Neill:** The minister is talking about a long time ago. In five years, all we've got in answer in the ministerial response in this auditor's report are verbs that are in the future: "We will... We will... We will...." What have you done?

We have confirmed with the auditors that the fraud is 2% to 3%, yet \$90 million is being misplaced, and that is verified in today's report. The auditor found that the average time between case file reviews in your term is 17 months in several municipalities. On the case files in four municipalities in this province, with 40% of the outlay for social assistance, \$1 billion in social assistance, the review has not taken place in over seven years. You've been there for five of those years, Mr Minister. It's unbelievable and unacceptable that you are blaming others for something you have not done.

Each year, you announce more and more plans for fraud squads, fraud squads and fraud squads.

**The Speaker (Hon David Warner):** Could the member place a question, please.

**Mrs O'Neill:** I say to you that this is not enough and ask you: When are you going to put in real standardized training for front-line workers? When are you going to put in real standard program and evaluation reviews?



When are you going to start preserving the integrity of the social assistance system in this province?

**Hon Mr Silipo:** The honourable member hasn't been listening. We've been doing these things. The case file investigation report, the results from the first five months which I released a few weeks ago, talks about actual results. It doesn't talk about things that are going to happen in the future, it talks about things we've done. It talks about the \$66 million in additional savings that we found in a five-month period alone, which we expect will be \$180 million over the course of the balance of the fiscal year. That's real money. That's real money we are saving the taxpayers of Ontario and we are saving for the benefit of those people who are entitled to receive social assistance.

The training the honourable member talks about is going on as we speak. We have put additional dollars this year, last year and next year into better training for our staff, again because the measures that were there from the previous Liberal government just weren't adequate. We've increased all of those things.

We know that the fraud squad the member talks about is the addition of people in the system whose job it is, yes, to deal with issues of fraud and abuse, but whose job it also is to make sure people are getting entitlements to benefits from Canada pension, from workers' compensation benefits and through the family support plan, from all other sources. Those things are working and those things are resulting in less money having to be spent from social assistance.

We're not talking about what we're going to do in the future. We're talking about what we've actually done.

#### SUPPORT AND CUSTODY ORDERS ENFORCEMENT

**Mr Michael D. Harris (Nipissing):** My question is to the Attorney General on the family support plan. Attorney General, despite spending \$25 million on the bureaucracy, more than half of all the cases in the plan have no money flowing.

When you brought forward your legislation to attempt to track down parents who owed support, you voted against our amendments to streamline the plan and increase the amount of money flowing to children in this province. We have consistently proposed that families who are not in arrears should be able to opt out of the bureaucracy of this plan in order to free up resources to track down deadbeat parents.

Minister, given that the auditor has confirmed that there is a need for changes to the system, will you today support our proposal?

**Hon Marion Boyd (Attorney General):** No, I will not, and I won't because the member is wrong in his assumption, as usual. In fact, we have increased the dollars per month collected by the family support plan since we put the measures into place from \$14 million a month to over \$30 million a month, and that is primarily because there is an automatic deduction for every single order filed with the court. Even those who initially opposed that kind of situation have since come to see that this is an effective and painless way of doing it. Because it's deducted at source, it does not depend upon the

bounty of the payor or the begging of the payee in order for the payment to be made; it becomes an automatic deduction. So no, we would not support those amendments any more today than we did when the act was passed in 1992.

**Mr Harris:** I'm sorry to hear that, because what it means is fewer resources for those children who are not getting the money they should be getting. This is exactly what your stand is saying.

The minister says I am using the wrong assumptions. I am using the assumptions of the Provincial Auditor. They're not my assumptions.

As of March this year, over \$700 million were owing to children in this province through arrears in the family support plan. These are the areas we want to get at, not the ones where we have willing compliances.

In the Common Sense Revolution, we propose a system of mandatory mediation that would move many families of divorce out of the courts and into a more conciliatory setting. This proposal would free up the courts and, more importantly, lead to much more amicable arrangements that would benefit children of divorce. I thought that's what we're after: benefiting children of divorce. It benefits them financially and it benefits them emotionally.

Attorney General, given the auditor's condemnation of the current plan, will you then support mandatory mediation to assist children of divorce in Ontario?

**Hon Mrs Boyd:** First of all, the auditor did not in any way condemn the plan. There are issues around our information technology that he raises and that we acknowledge. He indeed talked about the need for quicker assignment from MCSS to our ministry. We agreed with that and we have set those things into process.

The leader of the third party seems to be suggesting that the government is responsible for enforcing this, that it isn't the payors who refuse to pay. The issue is that those hundreds of millions of dollars are owed by individuals who are refusing to pay. If the member thinks those people who now refuse to pay are going to enter into voluntary mediation and suddenly voluntarily support their children when they refuse to do it now under court order, he is dreaming in Technicolor.

1430

#### LONG-TERM-CARE REFORM

**Ms Jenny Carter (Peterborough):** My question is for the Minister of Health, but first I would like to welcome the many members of the Senior Citizens' Consumer Alliance for Long-Term-Care Reform, the United Senior Citizens of Ontario and other associated organizations who are visiting us today.

Many of these citizens have expressed frustration, saying that as consumers they have been relegated to the sidelines while other interests dominate the district health councils in developing local multiservice agencies. Minister, what guarantees of consumer involvement are you prepared to give? What recourse do consumers have if they have not been invited to the table?

**Hon Ruth Grier (Minister of Health):** I'm delighted to have an opportunity to recognize how many people

have come today to discuss the issue of long-term care and I'm glad my colleague raised the question.

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Hon Mrs Grier:** I'm surprised, given the interest of the opposition, that they didn't raise it today.

**Mr Jim Wilson (Simcoe West):** You said there were 60 or 70.

**The Speaker:** The member for Simcoe West, order.

**Hon Mrs Grier:** The consumers are very clearly invited to the table.

*Interjections.*

**The Speaker:** Would the Minister of Health take her seat. Would the member for Simcoe West please come to order.

**Hon Mrs Grier:** The response of the opposition I think is symptomatic of their response to consumers. They don't believe that consumers ought to be on the boards of the agencies that are delivering long-term care. We do. We believe that consumers should be planning for the future of long-term care.

That's why we've asked district health councils to do that and why in many communities seniors are there. If they're not invited to the table, I'm today saying to them, "Knock on the door, come to the table," because long-term-care committees, district health councils, all represent consumers. We're committed to local planning and to local governance.

One of the amendments that we have made to Bill 173 is to require that a third of the members of the board of every multiservice agency would be consumers. That is very different from either of the other two parties opposite. That is our commitment to consumers managing, running and planning their own long-term-care system.

**Ms Carter:** Still in respect to long-term care, and in particular the orderly transition and continuation of current levels of service, there is scaremongering about the development of multiservice agencies going on in my community and elsewhere. Could you please elaborate on the time frame for integration of services and the process by which it will occur?

**Hon Mrs Grier:** Because the nature of the change that we are planning in consultation with district health councils is a fairly major change in the reorganization of long-term care is precisely the reason that we have built into the legislation a four-year transition period.

I agree with the member that there is a lot of misinformation. There is a misrepresentation of what we are doing. I think we heard that today in the response from the member of the Liberal party to our amendments to the labour side of the legislation, amendments that are designed to make sure that during the transition period both the clients and the people who work in the system have some guarantee that their level of services as well as their employment will be protected.

We have to remember what this legislation is all about. It's about consumers, it's about seniors, it's about the disabled and it's about the people who are here with us in the gallery today.

Making these changes has taken a long time.

**The Speaker:** Would the minister conclude her response, please.

**Hon Mrs Grier:** Previous governments talked about it. Our government has not only acted, we have put money behind our actions. We have increased the spending on long-term care by \$400 million a year. No other government in this country is prepared to do that.

#### JOBS ONTARIO

**Mr David Ramsay (Timiskaming):** I have a question for the Minister of Education and Training. Thank goodness there's an auditor in the province of Ontario, because for years we have been trying to get the administrative costs of the Jobs Ontario program and today the auditor has stated that the cost of the program administratively is \$70 million. That's 20% of the cost of that program, and that comes down to \$2,000 a head. That's \$2,000 for everybody you've placed in a job, and of course that doesn't count the money that was paid to employers to hire the employees in the first place.

It's no matter that the administration costs were so much, because of course the advanced money—you had to borrow money at 9%; you gave it to the brokers who you charged 3%, and they in turn reinvested the money at 6%. So the brokers made a profit from the money. You advanced it not just in sums of 2 months' advance money, as your regulations had stated, but you advanced it in the sums of millions of dollars.

I'd like to ask the minister: Are you satisfied, administering a program that costs 20% of the total value, that costs the taxpayers of Ontario \$70 million?

**Hon David S. Cooke (Minister of Education and Training):** I already responded to this question when the leader of the third party asked it, but I'll remind the member that in our view these are not all administrative costs. I indicated when I answered this question a few minutes ago that the brokers provide services other than just administrative costs. They're not just agencies that provide cheques.

These are our colleges of the province, these are some of the school boards in the province that deliver this program at the local level, and they deliver a lot of client supports in addition to the administrative costs. Client intake and assessment, employer outreach and job development, training plans that need to be developed, job matching, contract administration, monitoring and evaluation, systems and program support: Those are all part of the program that they deliver at the local level. Part of what they do is administration, but the 20% includes both, so I don't think it's fair to lump it all in one.

Maybe you still advocate the program your leader advocates, and that's the program they have in New Brunswick that costs \$60,000 per person when they're on social assistance to try to get them back into the workplace and has a 60% dropout rate. That's not the type of program we're advocating. That doesn't work and costs a fortune. This is a program that works. People get back into the workplace.

**Mr Ramsay:** In March we talked about the high failure rate of this program and in April we questioned



your decision to extend it. In October we talked about the high cost of the advertising budget that you put towards this, which is part of administration. Also, we were criticizing the fact that you've got now 90,000 people on a waiting list who have not been able to find jobs, and we look at that as being a 60% failure rate. Also, more seriously, most recently we said that we have raised concerns about consultants who are paid with Jobs Ontario money to secure grants for employers. This now is under police investigation and involves several companies.

I'd like to ask the minister if he really is satisfied with a program that costs so much to administer in the first place, has a high failure rate and now involves more police investigations?

**Hon Mr Cooke:** I don't agree with the assessment that because there are 90,000 people who have applied to get into the program, that indicates the program is a failure. We've created 60,000 jobs; 55,000 people are placed in those jobs. Your answer to the program is to kill it and throw 55,000 people out of work. If you think 90,000 people on a waiting list is a sign of a failure, what kind of failure would it be to throw 55,000 people out of work, as your party is suggesting?

1440

#### OLDER WORKERS

**Mrs Elizabeth Witmer (Waterloo North):** My question is for the Minister of Labour. In December 1992, the Uniroyal plant in my community was closed. Prior to this closure, in March 1992, the manager of the program for older worker adjustment made a presentation to the workers who were about to be laid off and indicated that they could expect some financial assistance from the program.

Two years have passed since this plant closed and I have been contacted by the workers because for two years these workers have been waiting for an answer as to whether or not they are going to receive any help from your ministry. These people today are desperate. Their resources are almost used up. Minister, will you tell us why the Uniroyal workers are still waiting for the help they were promised more than two years ago?

**Hon Shirley Coppin (Minister of Labour):** The information you've provided me with I find very disheartening, just the same as you do, that these workers would have waited so long.

You and I are both aware of the limited amount of money in the fund and that it is funded by the federal government to the tune of 70%. I don't know why that representative from the ministry made that commitment, but if you would provide me with the information that you have just brought to the attention of the House and myself, I would be very pleased to get back to you.

**Mrs Margaret Marland (Mississauga South):** Some of them have died. It's been two years.

**The Speaker (Hon David Warner):** Order.

**Hon Mrs Coppin:** I find this problem very serious, and I can understand why you are so interested in it.

**Mr Bill Murdoch (Grey-Owen Sound):** It's happening all over.

**The Speaker:** The member for Grey-Owen Sound, come to order. Had the minister concluded her reply?

**Hon Mrs Coppin:** Only, Mr Speaker, that I do take this very seriously, and if the member would provide me with the information that she has brought to my attention, I would be very pleased to get back to her as soon as possible, and also for the name of the person who made that commitment. Again—I'm repeating myself—I take this very seriously, because those workers have gone without the money.

**Mrs Witmer:** Minister, these people, these workers, have been trying to communicate with your ministry for two years. Out of desperation they came to me. In a call, one woman said: "We feel we have been lied to. We do not have our calls returned to us." This is not an isolated incident in Kitchener-Waterloo. This is happening across the province.

Do you not realize these workers have exhausted their personal savings? They are desperate. They expected an honest, straightforward and prompt response from your ministry and they have not received it. Tell them yes or no. They want to get on with the business of planning their lives.

Minister, will you commit today to communicate with your officials regarding the Uniroyal program, and will you make a commitment that they will receive assistance before the end of 1994?

**Mrs Marland:** The answer's from Bob.

**Hon Mrs Coppin:** Excuse me, please. I am answering for myself as the Minister of Labour, again repeating that I can appreciate all the anxiety, all the desperation those folks are going through. I will be contacting ministry staff later this afternoon. I will get back to the member. Also, if those members have contacted my office, I am unaware of it. I would be very pleased to talk to the group, because there should be no one in this province who has to go through such a problem. Yes, I will deal with this as soon as possible.

#### FARM TAX REBATE PROGRAM

**Mr Pat Hayes (Essex-Kent):** My question is to the Minister of Agriculture, Food and Rural Affairs. As usual, the opposition parties, the Liberals and the Conservatives, have tried to spread fear among the rural community in regard to the farm property tax rebate. They're going around as much as saying that it's going to be eliminated or drastically reduced. Will the minister today assure this House that the farm property tax rebate is not going to be eliminated?

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** I appreciate the question, because both of the opposition parties have made this issue one of their planks in terms of their policy on rural Ontario. The Liberals have talked about protecting the farm property tax program and the Conservatives—at least the Michael Harris party has talked about retaining the farm property tax program.

We have in fact retained the dollars that were committed to that program. We understand, as a government, the importance of this to farmers in rural Ontario. We've recently moved back to 75%, because there was enough

money in that particular portfolio to put 75% of the property tax back to farmers. We have retained it. We are committed to maintaining that program until there is property tax reform and we intend to deliver on that commitment.

**Mr Noble Villeneuve (S-D-G & East Grenville):** Ask him what Bob Nixon did.

**Mr Hayes:** The opposition would like to know what Bob Nixon did. Maybe you can relate to that when you get up, Mr Minister.

One of the issues, of course, when you're dealing with agriculture—it's like any other ministry—is that there's always a concern about the budget. I know that when we first came into government we looked at long-term programs, and that's when the minister had me do the agricultural review task force or study. What I'd like to ask the minister is, how many of those recommendations out of that task force on agricultural finance, the review task force, have actually been implemented as of today?

**Hon Mr Buchanan:** I think it's important, as we work towards the end of our first term as a government, to realize that early on in the term we sent a task force around the province asking farmers and rural Ontarians what they wanted this government to deliver on. There were a series of recommendations that came forward which talked about putting in place long-term programs for farmers and not looking at Band-Aid, short-term programs that lasted for two years and then ran out.

The task force came back with, I believe, nine recommendations and we've implemented every last one of them. We have an egg commodity corporation; we have a FarmPlus plan, which is a rural loan pool which was suggested; we've put in place safety net programs; we've arranged for private mortgage guarantees.

These were all recommendations brought forward and delivered on, and we're very pleased now to see that the Liberal Party has endorsed the things we're doing despite the fact that a former Treasurer, I believe it was Bob Nixon, tinkered and played with the farm tax program that was in place at the time. We have no intention of doing that. We believe in long-term programs to support people in rural Ontario.

#### DRIVERS' LICENCES

**Mr Bruce Crozier (Essex South):** My question is for the Minister of Transportation. Statistics indicate that driver error is the primary cause of accidents in Ontario, and of course more accidents mean more claims, and under your flawed Bill 164 more claims mean larger premium increases.

The Provincial Auditor, in his report today, recognizes that there are problems with regard to driver's licence controls. "...we noted that controls to prevent individuals from obtaining more than one driver's licence were weak." The auditor goes on to say, "This could allow an individual who has a poor driving record or whose driver's licence has been suspended to obtain another licence."

Your ministry has known that the system has been broken for five years, and year after year the ministry has said that it is trying to fix it. The Provincial Auditor has

made suggestions how to correct these problems now. Minister, will you tell the House and the citizens of Ontario who are law-abiding and good drivers how you will act to prevent the duplication of licensing poor drivers, which contributes to high insurance costs?

**Hon Mike Farnan (Minister of Transportation):** I thank the member for the question and for giving me the opportunity to present to the House and to the people of Ontario the extraordinary achievement of this government in terms of driver safety and our safety program.

1450

As you know, it is our intention to have the safest roads in North America. Indeed, I am proud to tell this House that we have fewer fatalities in Ontario than in 40 years. That is a fact and it's something we must be very proud of.

Not only have we got this record, but we are working to improve the record. We are working with graduated licences. We are working with safety measures on our roads. We're building those medians that provide safety.

The member is quite correct to bring to the attention of the people of Ontario that we indeed not only have safe roads, but we are continuing to implement those kinds of programs which will ensure that the roads of Ontario are the safest roads in all of Canada.

**Mr Crozier:** My point is that the Provincial Auditor has also pointed out that in addition to saving lives, the ministry estimates that a 1% reduction in accidents would save \$69 million in health care, property damage and other costs. Mr Minister, you didn't answer the question. Poor drivers can get duplicate licences and be out on the road again. How are you going to prevent that?

**Hon Mr Farnan:** We are constantly monitoring compliance and, indeed, within our ministry we are taking those steps which will ensure that the kind of duplication the member speaks of will not be acceptable and will not happen. I say to the member it is absolutely clear that when you reduce accidents, when you reduce fatalities, clearly you reduce the costs of hospital bills, you save dollars for the taxpayers. So not only have we safe roads, we are reducing the cost for the taxpayers in this province. I know this member of the House would want to join me in commending the government on an outstanding achievement.

#### PETITIONS

##### GASOLINE PRICES

**Mr Frank Miclash (Kenora):** Unlike the member for Cochrane South, I wish to read the entire petition today, not just the portion that he presented yesterday.

This is a petition to the Legislative Assembly of Ontario and it reads:

"Whereas the difference in gasoline prices between"—  
*Interjections.*

**The Deputy Speaker (Mr Gilles E. Morin):** Order, please. We will just wait until the House quietens down, then we'll be able to continue with our procedures. We'll stop the clock and start again. Just wait for a minute.

*Interjections.*

**The Deputy Speaker:** Order, please.



**Mr Miclash:** As I was saying, unlike the NDP member for Cochrane South who yesterday only read a portion of this petition, I wish to read the entire petition into the record. It's a petition to the Legislative Assembly of Ontario which reads:

"Whereas the difference in gasoline prices between northern and southern Ontario has long represented a serious inequity between the two regions; and

"Whereas the difference in gasoline prices between northern and southern Ontario is often between 10 and 20 cents a litre; and

"Whereas residents of most northern Ontario communities have no access to public transportation options and are therefore dependent on private automobiles; and

"Whereas 1990 NDP election promises to 'equalize' the price of gasoline across the province have not been kept; and

"Whereas" I, as the member for the Kenora riding, have "called upon the NDP government to keep their 1990 election promises; and

"Whereas the elimination of the motor vehicle registration fees for northern Ontario residents does not compensate for the excessively high gas prices in northern Ontario;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the NDP government of Ontario fulfil its election promises to the people of northern Ontario by equalizing the price of gas across the province."

That's signed by many constituents from across the riding. I too attach my name to that petition.

#### LONG-TERM-CARE REFORM

**Mr Bill Murdoch (Grey-Owen Sound):** I have a petition to the Legislative Assembly which has been signed by about 1,000 residents from my area, from Hanover, Meaford, Thornbury, Durham and Owen Sound.

"We, the undersigned, are very concerned that Bill 173, if not amended, will mean less service, more costly services, loss of volunteers and will prevent local communities from ensuring the system meets their long-term-care needs."

I have affixed my signature.

#### CHILD SAFETY

**Ms Sharon Murdock (Sudbury):** Two children, David Lee Bushey and Tammy Lynn Lavallee, were killed in a school bus accident. As a consequence, David Lee's aunt Janet Bushey collected in six weeks 11,361 names stating:

"In loving memory of David Lee Bushey and Tammy Lynn Lavallee, we, the undersigned, do agree it should be mandatory to have seatbelts on every school bus to ensure the safety of our children."

I hereto affix my signature.

#### MOTORCYCLE AND SNOWMOBILE INSURANCE

**Mr John C. Cleary (Cornwall):** I have a petition to the Legislative Assembly of Ontario.

"Whereas we, the undersigned, are of the opinion that private insurance companies are exploiting Ontario

motorcyclists and snowmobile operators by charging excessive rates for coverage or by outright refusing to provide coverage;

"Whereas we understand that those insurance companies that do specialize in motorcycle insurance will only insure riders with four or five years of riding experience and are outright refusing to insure riders who drive certain models of 'supersport' bikes; and

"Whereas we believe the situation will cost hundreds of jobs at dealerships and in the motorcycle industry and is contrary to the rights of motorcyclists and snowmobile operators;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario should study the feasibility of launching public motorcycle and snowmobile insurance."

This petition is signed by more than 240 of the residents in my riding in eastern Ontario.

#### ANIMALS FOR RESEARCH

**Mr David Winninger (London South):** I have a petition addressed to the Legislative Assembly sent to me by Florine Robinson and containing at least 1,000 names which reads as follows:

"Whereas every year in North America animals are used in cruel, outdated tests for cosmetics and household products; and

"Whereas these tests are not required by either provincial or federal law; and

"Whereas many non-animal alternative tests are available and already in use by many companies;

"We, the undersigned, petition the Legislative Assembly of Ontario to bring forward the proposed regulatory amendments to the Animals for Research Act to NDP caucus for discussion and passage, so the amendments can be made law as quickly as possible."

#### TAX INCREASES

**Mr James J. Bradley (St Catharines):** I have a petition signed by several people. It reads as follows:

"Whereas the government of Ontario has consistently mismanaged its finances and failed to support the economy of the province;

"Whereas the government's new tax agenda has hurt many businesses across the province and killed tens of thousands of jobs;

"Whereas the government has lost over \$2 billion in revenue even after imposing over \$3 billion in new taxes;

"Whereas the government is raising non-tax revenue through raising fees on everything it can think of including toll roads, photo-radar, snowmobile fees, ferry fees, health service fees and children's service fees without consultation, without studying the impact of these fees on local communities;

"Whereas the government is camouflaging its deficit crisis by phantom sales of government buildings;

"Whereas the government is hiding its spending by setting up crown corporations to take on new debts;

"Whereas the government even after these questionable

measures has still been unable to control its \$10-billion deficit"

*Interjections.*

**Ms Christel Haeck (St Catharines-Brock):** He has a smile on his face. Look at him; we got him.

**Mr Bradley:** I'm being heckled by the opposition. I'm trying to get this petition out.

"Whereas the government is planning to introduce even more taxes which will only lead to further job losses across the province, reduce business confidence and prolong the recession;

"Whereas the government continues to waste money through tens of thousands of dollars in unjustified expenses on meals and hotels by senior political and ministerial staff;

"We, the undersigned, call upon the government to take action to halt any new tax increases, cut its own wasteful spending, take real action to support business and job creation and get the province working again."

This is signed by a large number of people right across Ontario.

1500

CITY OF STONEY CREEK

**Mr Mark Morrow (Wentworth East):** "We, the undersigned, beg leave to petition the Legislative Assembly of Ontario as follows:

"Whereas we, the undersigned, are of the opinion that the corporation of the city of Stoney Creek has improperly denied firefighters access to council and committee meetings and access to crucial reports;

"Whereas we, the undersigned, believe the corporation of the city of Stoney Creek has bargained in bad faith with the Stoney Creek Professional Firefighters Association, Local 2654; and

"Whereas we, the undersigned, object to the staffing and training decisions of Stoney Creek council that have threatened the safety of firefighters and the public;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario establish a commission of inquiry pursuant to section 178 of the Municipal Act to investigate these complaints against the corporation of the city of Stoney Creek."

FIREARMS SAFETY

**Mr Ron Eddy (Brant-Haldimand):** A petition to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, strenuously object to the Ministry of the Solicitor General's decision on the firearms acquisition certificate course and examination;

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years;

"Whereas we believe that we should not have to take the time nor pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We petition the Legislative Assembly as follows:

"To amend your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

It is signed by several people, and I affix my signature.

DANGEROUS OFFENDERS

**Mr Larry O'Connor (Durham-York):** I have a petition here to the Legislative Assembly of Ontario.

"Whereas the Ontario government recognizes the importance of protecting women and children from violent situations in the home; and

"Whereas the Attorney General has made this possible through court orders that protect women and children from violent perpetrators; and

"Whereas according to statistics, in 1990, 38% of all Ontario homicide victims were women; 98% of these women were killed by their male partners. Approximately once every week, somewhere in Ontario, another woman dies at the hands of her partner; and

"Whereas the Solicitor General, through the resources of the Ontario Provincial Police and other municipal police services, has the power to monitor the compliance of pre-trial conditions for violent perpetrators but may not have the financial resources to do so;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To improve the monitoring of pre-trial releases and prevent the needless deaths of women and children. We demand that the Solicitor General place appropriate resources into police services and monitor the pre-trial release conditions."

I affix my signature to this in full support and it has been sent to me from women from Pefferlaw, Keswick, Richmond Hill, Sutton, Uxbridge, Maple, Thornhill, Aurora and right across the whole south Lake Simcoe basin.

LONG-TERM-CARE REFORM

**Mrs Joan M. Fawcett (Northumberland):** I have a petition to the Legislative Assembly of Ontario.

"We, the undersigned, are concerned that Bill 173, if unamended, will result in less service, more costly service, a decrease in volunteers, less flexibility for communities to develop a model that works for them."

I have signed the petition.

ANIMALS FOR RESEARCH

**Mr Pat Hayes (Essex-Kent):** I have a petition here:

"Whereas every year in North America animals are used in cruel, outdated tests for cosmetics and household products; and

"Whereas these tests are not required by either provincial or federal law; and

"Whereas many non-animal alternative tests are available and already in use by many companies;

"We, the undersigned, petition the Legislative Assembly of Ontario to bring forward the proposed regulatory amendments to the Animals for Research Act for discussion and passage so the amendments can be made law as quickly as possible."



## LONG-TERM-CARE REFORM

**Mrs Barbara Sullivan (Halton Centre):** I have a petition addressed to the Legislative Assembly of Ontario, which reads as follows:

"Whereas the Ontario government has given second reading to Bill 173, An Act respecting Long-Term Care, and clause-by-clause consideration of the bill;

"Whereas seniors and the disabled are entitled to accessible community-based care;

"Whereas we do not believe that Bill 173 will provide more cost-effective and accessible care;

"Whereas we, the undersigned, believe the government of Ontario must recognize and value the work of volunteers in this province;

"We, the undersigned, petition the Legislature of Ontario to ensure that amendments are made to Bill 173 to allow for provision of community care based on the needs of the local communities in Ontario and to acknowledge the role of volunteers in the delivery of care."

This petition comes from hundreds of people in Oakville, Burlington and Milton in Halton county, my area, and I concur with it and have affixed my signature to it.

## MENTAL HEALTH SERVICES

**Mr Gary Wilson (Kingston and The Islands):** My petition is to Bob Rae about the funding of mental health services.

"Dear Premier Rae:

"We, the undersigned, are citizens of Ontario who have personal experience in the mental health services of Ontario as consumers, family of consumers and/or service provider.

"In the name of health for people who have serious mental illnesses, we call upon your government to reinvest any money taken from provincial psychiatric hospitals and community mental health services and to not close hospital psychiatric beds until adequate community support services are in place."

That's signed by over 60 people in my area.

## LONG-TERM-CARE REFORM

**Mr Daniel Waters (Muskoka-Georgian Bay):** I have a petition today that states:

"We, the undersigned, are concerned that Bill 173, if unamended, will mean less service, more costly service, a decrease in volunteers and less flexibility for communities to develop a model that works for them."

It's signed by about 40 members of my riding.

## SERVICES DE SANTÉ

**M. Gilles Bisson (Cochrane-Sud) :** J'ai ici une pétition de la part de différentes personnes du nord de l'Ontario qui dit :

«Sachant que l'Hôpital Memorial de Sudbury a une longue histoire de budgets opérationnels équilibrés avec administration responsable ; et

«Sachant que l'Hôpital Memorial est le centre régional des soins cardiovasculaires du nord-est de l'Ontario,

«Nous, soussignés, donnons notre appui au maintien de

l'Hôpital Memorial comme centre de soins aigus à Sudbury.»

## REPORTS BY COMMITTEES

STANDING COMMITTEE ON  
ADMINISTRATION OF JUSTICE

Mr Marchese from the standing committee on administration of justice presented the committee's report and moved its adoption.

**The Deputy Speaker (Mr Gilles E. Morin):** Shall the report be received and adopted? Agreed.

Pursuant to the order of the House dated November 2, 1994, this bill is ordered for third reading.

1510

## INTRODUCTION OF BILLS

MISSISSAUGA SYNCHRONIZED SWIMMING  
ASSOCIATION ACT, 1994

Mr Mahoney moved first reading of the following bill:  
Bill Pr150, An Act to revive Mississauga Synchronized Swimming Association.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

ONTARIO ASSOCIATION OF  
HOME INSPECTORS ACT, 1994

Mr Mills moved first reading of the following bill:  
Bill Pr158, An Act respecting the Ontario Association of Home Inspectors.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

PUBLICLY FUNDED HOUSING  
RENT CONTROL ACT, 1994LOI DE 1994 SUR LE CONTRÔLE  
DES LOYERS DES LOGEMENTS  
DONT LE FINANCEMENT EST PUBLIC

Mr Crozier, on behalf of Mr Henderson, moved first reading of the following bill:

Bill 189, An Act to protect certain rent-geared-to-income Tenants in publicly funded rental units / Projet de loi 189, Loi visant à protéger des locataires de logements locatifs dont le financement est public qui paient un loyer indexé sur le revenu.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Bruce Crozier (Essex South):** The purpose of the bill is to ensure that the rate of rent and utility increases for tenants 65 years of age and over who pay rent for units that are publicly funded is not greater than the rate at which their income increases.

## ORDERS OF THE DAY

**Hon Brian A. Charlton (Government House Leader):** Mr Speaker, just before I call the first order, the House leaders have had some discussion. I'll be calling the 35th order, and the Conservatives have requested that their critic be able to stand down his opening statement until the next time we debate this bill. So what we would have this afternoon is the opening statement from the minister and the critic's from the Liberal caucus, and then just a regular half-hour rotation from the Conservative caucus, and we would return to their opening statement on the next day.

**The Deputy Speaker (Mr Gilles E. Morin):** Is this agreed? Agreed.

**BUSINESS REGULATION REFORM ACT, 1994**

**LOI DE 1994 PORTANT RÉFORME  
DE LA RÉGLEMENTATION DES ENTREPRISES**

Mr Duignan, on behalf of Ms Churley, moved second reading of Bill 187, An Act to reform the Law regulating Businesses / Projet de loi 187, Loi portant réforme du droit réglementant les entreprises.

**Mr Noel Duignan (Halton North):** It's indeed a great pleasure for me to move second reading of the Business Regulation Reform Act. As members of the House will recall, my honourable colleague the Minister of Consumer and Commercial Relations introduced this bill earlier this month; I believe it was November 3. I'm indeed very pleased to be able to carry this bill forward, as I believe it reflects our government's commitment to cutting red tape for businesses in this province.

This bill also acknowledges the vital role played by small businesses in revitalizing the provincial economy. As you know, business confidence is coming back, investment is up and businesses are making investments in capital spending. In fact, some economic professors are now predicting that Ontario will be one of the leading industrial sectors in economic growth in the next few years.

If you look at the Treasurer's statement earlier this month, it's interesting to note that Ontario has led the country in economic growth in the second quarter of this year and is turning in its best performance since 1988, at a growth rate of some 8.4%.

It's also interesting to note that our Jobs Ontario Training program has now provided some 63,565 jobs, with over 20,000 employers taking part in this particular program. What this means for the taxpayers of this province is hundreds of millions of dollars saved in social service payments.

We have made it easier for our very important small and medium-sized businesses and firms in Ontario to get the funds they need to grow and to hire more people. Small business is a big reason behind the recent upswing in the province's economy, businesses that help spur the economy and indeed create jobs. However, as regulations and standards have changed and increased, businesses have found themselves forced to spend more and more time filling out forms and responding to inquiries from various levels of government.

So what have we done? We have listened to the small business community in this province, which identified government paper burden as one of the major hurdles to establishing new enterprises. We've heard this concern from small businesses; we've heard it from large businesses and entrepreneurs; we've heard it from the Ontario Chamber of Commerce, as well as from groups of small business owners.

We've also heard about the excessive costs of paper burden to businesses. As you know, it can take a long time to launch or expand a business in this province. An entrepreneur may have to deal with between seven and 10 different government ministries simply to get off the

ground and get going, and I don't need to remind people in business that indeed time is money.

This government understands the importance of small business and entrepreneurship throughout the province. Since 1987, small business has generated some 75% of all the new jobs in Ontario. A full 34% of the province's labour force is employed with firms of less than 100 employees. The fact is that small and medium-sized businesses play a vital economic role.

It was awareness of this important sector that led our government to introduce the Business Regulation Reform Act, which is designed to streamline and simplify the business regulation and reporting process, thereby lessening the paper burden for businesses.

This act will overcome hurdles in specific program legislation. It will allow the government to change the old requirements for paper forms and signatures, thus paving the way for electronic registration. It will also provide the authority for registration and reporting service expansion.

The regulatory burden placed on small businesses in Ontario has grown over a very long period and has been created by many governments of all stripes. However, this government has shown initiative by introducing legislation and streamlining the numerous processes involved in starting a small business. Our government takes its regulatory responsibilities very, very seriously. This bill will ensure the regulations necessary to maintain a fair and safe and informed marketplace that supports a very competitive economy and which will be administered in the most efficient and effective manner that causes the least amount of paperwork for businesses.

What have we done to date? As a first and initial step, the government has launched the government-wide initiative called Clearing the Path for Business Success. As many of my colleagues already know, our government improved the registration process in September with the Ontario business registration access, part of the Clearing the Path initiative.

Beginning this fall, in fact September, self-help computer workstations, the foundation of the improved registration service, are being introduced in 16 business self-help and land registry offices. To date, the workstations are located in Timmins, Smiths Falls, Windsor, Barrie, St Catharines, Belleville, Huntsville, in the Timiskaming district, that is, in Haileybury, and also in North Bay and Sault Ste Marie.

It's interesting to note that the self-help office in Timiskaming, which opened on November 2, is unique by virtue of its nature: It is a portable workstation. The portability of this workstation allows for the more northern communities to have access to this registration process. In other words, business owners in select communities such as Kirkland Lake, Englehart etc are currently being identified in order for them to have access not only to the workstation but to a business consultant as well.

The next four sites to be installed will be London, one in the Halton region in Vaughan, and two in Ottawa. Of the two in Ottawa, one will be in the self-help office and the other will be in the land registry office. The 16th



workstation will be installed in Toronto in January of next year.

It's also interesting to note that the technology used in this workstation is the very latest in computer technology and has very user-friendly software. I encourage all members of the House to visit one of the workstations to see how easy it is for people to get access to this workstation and fill out the necessary forms to start a business; to see how successful it has been.

1520

These workstations allow entrepreneurs across the province to electronically complete up to four application forms most commonly required to start non-incorporated small businesses. They are the business name registration, the retail sales tax vendor permit, the employer health tax, and the Workers' Compensation Board application forms. The application forms can be printed and reviewed, the on-line searches will also be available at that office, and all the applicable fees can be paid at that office, and then the completed forms will be couriered to Ontario business registration access in Toronto for processing—we call it the clearinghouse—for which they will be given priority processing.

If you don't live pretty close to one of those workstations or self-help offices, entrepreneurs unable to visit those workstations can still save time and travel costs by calling a toll-free help line. This help line provides businesses with general information about business startup registrations, and the status of any registration application submitted at a computer workstation or indeed mailed to the Ontario business registration access.

The help line will eventually be able to supply information regarding other necessary federal, provincial and municipal licences and permits. Entrepreneurs calling the help line will be provided with general business information and mailed a customized registration kit to be returned to the single-address clearinghouse.

We are also continuing to develop improvements to the business registration access program. Thirty-five additional workstations will be introduced to Ontario communities throughout the province between April and July of next year. Also in April of next year, through the OBRA, businesses will be able to make payment by credit card for name search and business name.

People have said to us, "Why this legislation?" As you know, we were able to introduce these initial improvements without legislation because we are basically an overlay on existing processes. However, we cannot reach an optimum level of service to our business clients without clear legislative authority to do a number of things. This legislation, for example, will provide clear authority for such things as combined registration forms; overcome roadblocks and consolidate requirements in individual program areas; provide authority for anticipated service expansion such as links with the federal government.

The legislation will provide specific immediate solutions to small business concerns and issues, including combined business form registration, electronic filing of business names, retail sales tax permits, employer health

tax and Workers' Compensation Board application forms. Completed registrations at workstations will take place electronically, eliminating the need for paper forms and applicant signatures. There will be the sharing of basic information; for example, business name and addresses required by all business-related programs.

There will be unified reporting to make it possible for businesses to receive consolidated monthly account statements and remit taxes in a single payment. This service will be introduced in September 1995 for businesses making retail sales tax and employer health tax payments. In January 1996, businesses paying the retail sales tax and the employer health tax and corporation tax can start paying in a unified manner. Also, unified reporting will be extended over time to include other filing frequencies such as, for example, quarterly and annual programs.

Systems will also be linked to permit the issuance of the federal business number through provincial and federal outlets. This number is designed to replace the multiple numbers that businesses once needed to deal with both the federal and provincial governments.

We are also looking ahead to what we want to do with the anticipated service expansion of this particular initiative. We will be giving businesses the support they need, and indeed this is what the Business Regulation Reform Act is all about; that is, to create a single-window, one-stop service that will integrate the registration and reporting requirements of all three levels of government, municipal, provincial and federal. Just imagine being able to walk into one government office where a businessperson can electronically complete all the forms necessary and required by all three levels of government, and just think of the advantages of being able to remit business taxes with just one single payment.

Our government is committed to providing equal access to services across Ontario. Businesses throughout the province will have access to the level of service that up to now has been available only to those living in, or prepared to go to, Toronto.

I recently had the pleasure of visiting the workstation at Smiths Falls and seeing this particular program in action. The very first client of that particular workstation the first day it opened—I think it was on September 23 of this year—was going to spend two days in Toronto visiting the necessary government departments to fill out the forms required. In 22 minutes she did the necessary work, and the whole process was complete in a couple of weeks, and indeed her business is now up and running in the Smiths Falls area. Also recently in Smiths Falls, a client came in on Monday and had all the necessary forms back by the end of that week. So the service is there; it's good news for the small businesses of this community.

The government, as I said, is committed to providing equal access to services across Ontario. We are also committed to reducing the regulatory overlap and duplication that currently exists among Ontario, Canadian and other jurisdictions, thereby providing taxpayers with more cost-efficient and cost-effective government, informing the government only once about any change in informa-

tion instead of going to many different ministries to advise them of the same change.

It's very interesting to get client feedback right now, and that client feedback is indeed very encouraging and very positive. I'm sure we all agree in this House that small businesses are one of the foundations of this province's economy, and I'm delighted to say today that the response has been extremely positive. Now they will have to spend less time, considerably less time and effort, registering their enterprises in Ontario. By our helping them reduce time they spend on paperwork, they can do what they do best: expand and create jobs to help put our people back to work in this province.

In our meetings with small business people, one of the things we heard over and over again is the frustration they face with government red tape. When we looked at the registration process for new businesses, for example, we found that setting up a small business, as I said earlier, required an entrepreneur to deal with an average of seven to 10 different ministries, and that's just at the provincial level. The Business Regulation Reform Act will lessen this burden by eventually permitting businesses to consolidate many of their requirements into one single process.

We are also working with the federal government. I just noted that to establish their businesses, entrepreneurs have to visit between seven and 10 Ontario ministries. Then they have to complete the federal registrations, and that includes the GST, UIC and CPP applications, and much of this has to be done by mail to Ottawa. They also have to visit their local municipal office to obtain other licences and permits, depending on the nature of their business.

To the taxpayers, it's all government regardless of what level it comes from, and they cannot and do not distinguish between the three levels of government. The longer goal of Clearing the Path is to merge registration and recording requirements of all levels, starting with the federal government. This legislation is required to permit sharing of core information applicable to all government programs—for example, business name, business address—and we have to do that at all levels. I must point out that business information is already public information, but ministries need the authority to share and consolidate this information for efficient processing.

The MCCR has developed the Clearing the Path initiative with a working committee made up of other government ministries: the Ministry of Economic Development and Trade, the Ministry of Finance, the Ministry of Labour, and the Workers' Compensation Board. The advisory committee, comprised of our private sector partners, including new entrepreneurs, representatives from business associations and indeed the academic community, was established to provide us with feedback on our policy and program concepts.

The minister and the ministry have also held a number of focus groups to test our vision for Clearing the Path and to suggest some priorities for future enhancements. The bottom line on this consultation was indeed twofold: (1) to improve the services to business and (2) to simplify the ongoing reporting relationship between government

and business. An earlier pilot program in Kingston and London confirmed the demand for a consolidated registration process.

**1530**

In 1994, business self-help offices across the province were invited to participate in the Ontario business registration access service and were asked to submit a proposal if they were indeed interested. The selection criteria reflected a wide variety of issues, including geographic location, community size and the ability to rapidly implement the workstation concept. As a result, the 16 workstations I talked about earlier are being delivered in a partnership with municipal business self-help offices as well as land registry offices and the retail sales tax office.

What we're talking about right now basically affects those unincorporated businesses. For those businesses that need incorporation indeed it's a very, very different process from registering basically a sole proprietorship or indeed a general partnership.

Currently, entrepreneurs setting up a business under the Ontario Corporations Act or the Business Corporations Act will have to use existing procedures to register. However, the foundation being built under the umbrella of this particular legislation will act as a stepping stone for the future.

Incorporated businesses will benefit from the introduction of a unified reporting system in September of next year. Businesses can then elect to make retail sales tax and employer health tax payments with a single cheque each month. The incorporations tax payments will be added in January 1996, and large businesses which are required to make payments at different times during the month will be able to receive consolidated statements and again make single payments. We believe this will simplify and streamline the reporting process for all businesses.

In closing, I believe the adoption of this bill is a very, very important first step towards re-engineering business regulation and reporting in Ontario. I believe it's also an example of our government's commitment to streamline all of its operations and procedures.

It is crucial that we continue to improve the overall business-government relationship. The Business Regulation Reform Act will allow us to continue to improve the registration and reporting processes and ensure more efficient government services to the businesses in Ontario, and that's what this act is all about.

**The Deputy Speaker (Mr Gilles E. Morin):** Any questions or comments? Are there any other members who wish to participate in this debate?

**Mr Carman McClelland (Brampton North):** I say to the parliamentary assistant, thank you for that introduction of the legislation we're discussing today, Bill 187, An Act to reform the Law regulating Businesses. Indeed, I say with sincerity that often in this place it's difficult to cross over the partisan chasms that are sometimes built, and I want to, at the outset, congratulate the government for taking this initiative. I will qualify that somewhat. I want to simply say that I think it's a good measure, albeit



slow in coming, and quite frankly not taking a large enough step at this present time.

Let me touch base on some of those matters as we talk about this for a while. This particular legislation is the product of the work of the Clearing the Path project under the direction of Mr Evans from the Ministry of Consumer and Commercial Relations, who was charged with the responsibility, together with a very able group of individuals in the ministry, to look at the climate in which business operates in the province of Ontario.

The parliamentary assistant for the Ministry of Consumer and Commercial Relations, Mr Duignan, has indicated and quite ably put on the record the importance of small business for the province of Ontario and indeed our country. It is no secret that emerging businesses in the small to medium-size sector are the lifeblood of the economy in the 1990s and doubtless into the next decade.

As we move with almost blinding rapidity into the era of electronic communications and the electronic highway, the nature of business and the way that business is done will change at a pace that perhaps only some people whom I would describe as visionaries can actually contemplate at the present time.

By way of a bit of an aside, I had the opportunity of hearing Mr Ted Rogers a few weeks ago. His prediction—he has been reasonably accurate in terms of his business predictions of late—indicated that by the turn of the century over 70% of the households in the province of Ontario will have interactive abilities in terms of electronic communication. In point of fact, many businesses are already at that place. Businesses operate on virtual instant transmission of information and databases, unlike, I say, government.

It is no secret that governments, generally speaking, have been slow to respond to the marketplace. I think in part that's the nature of the parliamentary government that we know, and in point of fact in some US jurisdictions under a different system. Governments tend to do business as usual. It has often been said that if governments were in business, they would have been broke a long time ago because they just don't adapt and they don't change quickly enough.

It's no secret that ministry to ministry can't communicate effectively electronically. There's really only one jurisdiction that does that adequately, that has been, so to speak, wired for communication, that being the jurisdiction of New Brunswick, albeit the province of Quebec certainly has advanced in terms of communication, department by department and ministry to ministry.

What does that tell us? It tells us, on the one hand, that business has moved very, very quickly to embracing and utilizing electronic communication. In point of fact, most businesses would not survive. In point of fact, in most new businesses, a virtual requirement of an entrepreneur is that she or he be literate or certainly functionally able in terms of using electronic information processing systems. I hasten to add my own personal deficiency in that respect. I recognize that younger people, young women and men in our educational institutions today, are being equipped to deal with the reality of communication in the 1990s, in the year 2000 and beyond.

What this initiative is trying to do is to mesh the reality of the business place with the reality of business trying to do business, if you will, with government. I hope I explained that well. Business to business seems to interact quite well electronically; business to government has some difficulty and, as I think would be admitted by members of all three parties, government, within its various jurisdictions and bureaucracy, is not yet up to speed with respect to electronic communication.

We know the importance of small business to the economy. That's been touched on. We know the impact it has on job creation. Certainly those who are entering the workforce for the first time have the best prospect of job opportunity in the small business sector. Indeed, many of the jobs will be from the entrepreneurial spirit that has been engendered in young women and men across this province and this country to build an economy for the future and for the next generation in the next decade.

There lies within the business community a general frustration, a frustration that has been expressed by small business, some reference being made to it by the parliamentary assistant, a frustration that government doesn't understand the plight they are in, a frustration that government is slow to react and slow to respond to their needs, a frustration that is indicated by chambers of commerce and boards of trade which say that this current government doesn't understand that when it increases taxes by \$4 billion, it is hurting job creation; that when they have tax hikes of an unprecedented order, it slows down the economy and makes it hard for them to do work; that when they have a paperwork burden that has increased dramatically over the past four years, it makes it more difficult to start business and indeed to sustain business.

Incidentally, I had an opportunity to meet with a young woman today at noon, a friend of mine who was trying to establish a small business. She indicated that she went through the process of beginning to look at filing papers, went to a government office at the Ministry of Consumer and Commercial Relations to do so and ended up having to return another day when she noticed that her day was being used up waiting in line. There were still 10 people ahead of her and she wanted to get on with filing her business so that she could begin.

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I'll give you another example anecdotally that represents the difficulty that businesses have. A number of months ago I was in Ottawa with my colleague Mr Phillips, the member for Scarborough-Agincourt, and we did an open-line phone-in show for a couple of hours on an Ottawa radio station.

A gentleman called and recounted the following story. He said: "I have"—what to him seemed a relatively modest amount of money to me seemed like a great deal of money—"I have \$300,000 and I want to start a business. I'm ready to go. I have my product, I have my personnel, I have everything in place, but the problem is that I can't get the appropriate documentation from the government of Ontario."

He went on to indicate that he had in fact sent in

documents and they had been returned because he had failed to complete an appropriate box of information. They were returned to him by mail a number of days, perhaps weeks, later, I forget exactly, but it was a frustrating time period for him in any event. He subsequently completed the appropriate box and sent in the information, but by now it was dated and because it was dated it had to be sent back again and reprocessed entirely.

He had begun that in late November, I believe, of 1993 and we were speaking with him in early March 1994. So a number of months had passed by where he had begun the process of filing the paper to get a business going and he wasn't able to get that business under way because the paper transactions hadn't been done correctly.

Very clearly, a solution for that situation would have been what's being envisaged with electronic filing. He would have sat down at a computer terminal at an appropriate location, he would have punched up the information and somebody or the program in the computer itself would have flagged the fact that the information wasn't complete and would have identified the problem.

He would have remedied the problem, pushed a button effectively, had the business filed and would have been ready to go a number of months earlier, injecting money into the economy, employing people and doing what he wanted to do, to get on and make a profit, which is understandably the appropriate motivation for being in business, and make a gainful contribution to the community in which he lived and indeed the province and our country. That wasn't what he was able to do. He went through the process of some delay, as I described. The concept that's being envisaged by this legislation would deal with that.

I hasten to add that the legislation that is being brought forward today does virtually nothing in the immediate. I think we've heard that. I'm sure the parliamentary assistant may want to comment on that. What this legislation does is effectively set the table for some initiatives that are going to take place about a year down the road, perhaps September or so of 1995. Less than a year, 10 months or so from now, we'll begin to see the product of what is possible to come out of the legislation that's being put forward today.

What has been done in the short term has been done administratively. It's a function of policy deciding that the kiosks that you spoke of, the travelling filing system in Timiskaming—it moves around—can be done immediately. It's really an issue of the government will to get on with the task of making it easier to do business. What this piece of legislation does is set up the next step where we will be able to move into, effectively, the electronic age for doing business and hopefully provide the opportunity to bring other levels of government on stream.

We know that small business is important to our economy. We know that there are countless frustrations. We have seen evidence of that with the billboards that have appeared in downtown Toronto that have given the leader of this government the dubious distinction of being Buffalo's businessperson of the year, the current billboard

that indicates very graphically this government's policies in terms of their tax-hungry initiatives, the fact that they have paid lip-service to some extent to businesses but, on the other hand, go and do things that are counter-productive.

Whether it be in the hard and heavy-handed way that they've implemented some of their policies contrary to the interest of business, they none the less come now as we are approaching what I think is the perhaps early preparatory time for an election and say, "Hey, now we want to start to listen to business." A project that has been in place for some four and a half years is now being pulled off the shelf and being brought forward and they're saying, "We're going to move with it."

**Hon Frances Lankin (Minister of Economic Development and Trade):** Excuse me?

**Mr McClelland:** The Minister of Economic Development and Trade looks at me kind of quizzically. In point of fact, the director of the project team would indicate that this initiative had its genesis a number of years ago, began and was effectively detoured around a number of roadblocks and has only been given the freedom to move and be brought forward, with the initiative that we're discussing today, in recent months.

**Hon Ms Lankin:** I am going to go apoplectic in a minute if you continue this. Holy mackerel.

**Mr McClelland:** Minister, you'll have an opportunity to respond and you can do your "Holy mackerels" or whatever else you want. In point of fact, you know very well, and I think that the reality in the business community across this province will speak very, very plainly and abundantly clear whenever we have the next election, that the sentiment that is being expressed by business everywhere any one of us goes in this province lately is that the best thing that can happen for clearing the path for business in the province of Ontario is to have a change in government.

There is no question that we need to move electronically in some of the initiatives that we have here, but at the same time there is also no question that there has been a sense that the government of the day is anti-business and is not interested in the realities of business in the workplace.

**Hon Ms Lankin:** Oh, come on, look at all the statistics.

**Mr McClelland:** I suggest to my friend opposite that maybe one of the reasons business confidence is up is they're looking at it and saying, "My God, we only have about six months left." That's probably one of the reasons that there is a sense of business opportunity, that maybe there will be some fresh air at the end of the tunnel and that there is some light and that there will be an opportunity to breathe again and to flourish in this province.

The particular initiatives of this bill I'll make some brief comments on, particularly with respect to section 4. I note in section 4 of the act that there is effectively a veto power for other ministries that would be brought on board. I suppose one could read a lot into this, and I can only speculate.



It seems to me that what we would have wanted was an opportunity where an initiative was being taken forward with a sense of unfettered direction. I suspect what happened was something to the effect that the project team and the Minister of Consumer and Commercial Relations would have said that we want to be able to move in a direction across ministries and departments of government and bring this initiative to fruition as quickly and as cleanly as able. Doubtless what would happen in a discussion like that, it seems to me, is that there would be people who would say: "Wait a minute. Would that mean I would be giving up part of my turf?" I understand that dynamic takes place in government. I understand that's the reality of human nature.

What we have is a situation where, certainly hypothetically, a minister of the crown could override this initiative in his or her respective area of responsibility. I think that's probably one of those issues that is not to be made a great deal of, save and except to say that I think in an ideal situation it would have the, if you will, full endorsement of the government of the day to be able to move and say: "This is the direction we're going in. We have confidence in the direction we're going in and we don't need that ministerial override ministry by ministry."

On the other hand, I recognize the reality that some ministers would want to have that indeed in terms of their responsibility. I throw that out for consideration, not to be abundantly critical in that respect but simply to say that I recognize that dynamic and that tension.

I hope there would be, over the implementation of this, a full-hearted endorsement and acceptance of the initiatives that are being undertaken and that this particular section, section 4, would not be utilized to override what ultimately I think would be the harmonization and the integration of systems that will benefit everybody in the long run.

As I mentioned, I would just make some quick reference that much of what is being brought forward in Bill 187 will establish a framework and a foundation to bring on stream in September 1995 implementation of many of the initiatives that we're contemplating. I think you can safely say that what's being done immediately does not in point of fact require this legislation.

I understand the need for planning. I understand the need to set up the systems and to have some long-term lead-up times. I think it's also safe to say that when all is said and done, there's a sense—whether you want to debate this issue, and I'm sure there'll be some comment—but there is a sense that the government is really tinkering at the edges of what needs to be done. I think of the countless examples of bureaucratic red tape that has grown over so many years that really needs to be cut, that impedes business in so many ways.

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This summer the Niagara wine growers, by way of example, wanted to have a special wine-tasting festival. They required some 44 separate approvals, thousands upon thousands of dollars, for a very vital, dynamic industry in our province just to go ahead and do something as simple as a wine-tasting festival. That is illustrative of the way in which governments, not just this

government but all governments, must begin to think more businesslike and get rid of the impediments to doing good things.

While we're bringing in Bill 187 on the one hand and saying we want to make it easier to do business, at the very same time we have the government with Bill 178, the Unclaimed Intangible Property Act, leading to costly compliance for the private sector, really leading to what is simply another \$50-million monetary grab.

It's necessary for us to define very quickly in government—and we have said that we are prepared to do that in the opposition—and define very clearly a list, a menu, if you will, of regulatory burden that needs to be cut. My leader has made a commitment to address and really take on with absolute commitment the goal of cutting the regulatory burden on small business by 50% over the term, should we form another government. It seems to me that's the kind of goal we need to do.

It is not sufficient to say we are going to move a little bit in one direction with electronic filing, when on the other hand we continue to pile regulation upon regulation, paperwork upon paperwork, filings, and tax hit after tax hit. We in government need to get out of the way of business in many respects and allow them to do what they need to do. We need to look at some fundamental reforms in the area of workers' compensation. We recognize this, it seems to me, by paying lip-service to those issues, but we fail to take the initiative.

I would suggest that when we look at this legislation, to say we would be opposed to it would send a very, very bad message to business. It would say that the opposition is not prepared to work cooperatively with government to move in step. I hasten to add that it is only one small step and that much, much more needs to be done.

I would hope this would be the beginning of a move in the province of Ontario that will clear the path in a very real way, not to come up with some slick slogan that says we are going to throw some legislation on the table that will tee things up for late 1995, but to move definitively with some initiatives that can be done now that will ease the burden financially and from a regulatory point of view for businesses to operate in the province of Ontario. I would hope that as we engage in this debate the government will do more than say, "We're clearing the path," that it would, in point of fact, do what it says it wants to do. Paying lip-service is, quite frankly, not good enough.

I know this initiative has been the product of the hard work of many people. I know there are discussions taking place with the federal government, and I know there is built into the legislation the opportunity for integrating electronic filing with municipal governments as well. That yet needs to be negotiated and is indeed a significant task for any government, to sit down with all the various levels of government bureaucracy and pull together all those pieces to make it clean and efficient.

I think the parliamentary assistant was the one who said, quite rightly, that in some cases a dozen or more pieces of paper need to be filed for an individual to operate a business or to begin a business in Ontario. This is a step, a small step—I don't want to take anything

away from that—but I hasten to add that we need to do an awful lot more.

I say again to my friends, if you really want to clear the path for business, have an election. Put your financial plan, your record, on the table for discussion and for judgement by the people of Ontario. Allow the people of the province and businesses to measure you in the court of the ballot box. I think that will do more to clear the path for business than anything this legislation can do. I trust that will happen sooner rather than later.

**The Deputy Speaker:** Questions or comments?

**Mr Duignan:** I listened intently to the remarks by my colleague the member for Brampton North. While I can agree with him on some of his comments, some of them I certainly cannot.

Basically, what this legislation does is begin the process. As you know, right now you can go into the small business office and do your business name search directly on a computer, right into Toronto. You get your main four forms filled out and they're checked out and returned in a very short time. Of course, he's right that by 1995, everybody will be able to do that electronically.

I have a hard time listening to the member from Brampton talk about how we've taxed small business—this comes from the Liberals. Let me see what the Liberals did. We had a concentration tax, we had a tire tax, they brought in the health tax, and we could go on and on. Actually, I'm looking forward to the election. I'll be glad to pit our economic platform against the Liberals' platform any time, any day of the week, when people compare what we have done and the decisions we have done to what the Liberals are going to do and what they've done.

I draw members' attention to the little article in the Toronto Star today. For example, when the Liberal leader is pressed about unemployment, her primary goal is to reduce it to 6%. When pressed, she seems to be "a bit fuzzy," according to Thomas Walkom. "After the speech, reporters asked her about the 6%. It would be a target, she explained, but not a definite one.

"After all, she went on, provincial governments don't have much control over job creation so a McLeod regime couldn't be held entirely responsible if the target wasn't met."

You can't get anything more vague or more fuzzy on job creation, and I suspect it will be the same on taxation and I expect it will be the same on social policy and labour policy by a Liberal government.

**Mr Norm Jamison (Norfolk):** Listening to the member across the floor, I'm encouraged in one sense, that he realizes the importance of this initiative to the small business community, and the importance, therefore, for the legislation to go forward.

When the speaker across the floor mentions what has been done in the small business community, I think this piece of legislation, this initiative, Clearing the Path, really deals with that crucial issue of paperwork burden for small businesses, and businesses in general, for that matter. Beyond that—and the member across the floor should understand and the reality should be presented

rather than the rhetoric—the reality is that taxes on small business have been reduced from the level when we entered office. We've provided training funds for small businesses now, in the form of tax credits, to a maximum of \$10,000 through Jobs Ontario. We have introduced the Community Economic Development Act that further enhances small businesses' ability to attain financing tools. All these things are very important.

As we go farther down the road, I just have to say again that when in reality you compare what this government has done for small business as opposed to what previous governments didn't do, I can tell you that the record would be very clear indeed and a record that I'm very proud of.

**The Deputy Speaker:** Further questions or comments? If not, the member for Brampton North, you have two minutes to reply.

**Mr McClelland:** My friend, and he is indeed a friend, the member for Norfolk, leads with his chin when he talks about small business and Jobs Ontario. Countless businesses will tell him, and I know they have, "Hey, it's not worth the trouble." The paperwork, the nonsense you have to put up with to create the sham of trying to fit somebody for a job that just has no meaningful training for them is absolutely absurd and is a total waste of money. Yes, from time to time you hear somebody, "Hey, I scored a job with Jobs Ontario," but five or six to one, people will say: "It's not worth the hassle. You put more money and more effort into jumping through bureaucratic hoops and trying to make the government happy instead of having the government providing service to the business of Ontario."

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*Interjection.*

**Mr McClelland:** He knows as he smiles, and the member from Durham who's chirping away as usual knows it as well, that to throw out those kinds of things proves how very, very much out of touch you are with the realities of business and small business in the province of Ontario.

If I were the parliamentary assistant for Consumer and Commercial Relations, I would be very, very careful about quoting Thomas Walkom as the authority for what a wonderful job his government is doing. Mr Duignan, the member for Halton North, is not here. I will buy for him a copy of Rae Days and highlight some of the fiascos in terms of the cabinet sitting around and wrestling with some of the decisions, where a principal secretary says, "We didn't know what we were doing and we still don't know what we're doing after four years." The government says: "Hey, we've learned, we've trained for four years. Give us a chance. We've got it right now." Surely, if we're going to do something for business, let's get this government out of the way.

**Mr Ted Arnott (Wellington):** I'm pleased to have an opportunity this afternoon to speak in response to the government's Bill 187, the Business Regulation Reform Act, 1994, which we're doing now at second reading.

As our party's small business advocate, I'm fortunately going to have the privilege of leading off on behalf of



our party, but our critic for Consumer and Commercial Relations, the member for Parry Sound, still has his 90-minute opportunity, and I understand that's been cleared by the House leader. Personally, I wish to put some of my thoughts on the record about what the government's doing with respect to attempting and endeavouring to eliminate some of the regulations that have been negatively impacting on small business for the last number of years.

This bill, if we listen to the minister, is responding to the calls of small business owners in the province: the Clearing the Path initiative the ministry instructed the civil service to look into about a year ago to deal with small business complaints of red tape. The minister of course introduced this bill for first reading on November 3, 1994, and when introducing the bill, the minister indicated that the bill "reflects the government's commitment to cutting red tape for business."

Beginning in September of this year, Ontario businesses are able to register in a more simple way at certain access points. I believe there are 15 business self-helps and land registry offices which have been set up to be sort of one-stop shopping for businesses to register with the government so they can fill out all the required forms in one stop. As well, I believe there's a toll-free assistance line to enable entrepreneurs to order a free business registration kit which includes four of the same forms found in the computer workstation. The government has plans to establish a number of these workstations around the province; I think about 35 is their long-term objective.

The minister and the parliamentary assistant today have indicated that the purpose of the bill is to simplify government processes for starting and operating businesses. I would like to indicate I'm supportive of that in principle and this bill I support in principle, and I will be voting in favour of it at second reading. But I must say it's a very, very modest first step, and I think in a fair world even the government members would recognize that. It's a very modest first step that goes to address a major, major problem we've heard about from small business for the last number of years.

As our party's small business advocate and as the co-chair of the Mike Harris tax force—task force on small business, consulting with small business people over the last—

**Interjection:** Tax force? Was that a slip?

**Mr Arnott:** No, task force. We're eliminating all the taxes, many of them, anyway; we hope to eliminate many of the taxes if we get the opportunity to form a government.

I've had the opportunity to meet with a number of small business people over the last year and a number of the chambers of commerce in my riding in the context of these consultations. Regulation and paperwork is a very serious issue, and it's especially important for the smaller businesses. We talk about "small business." I'm not sure what the government uses as a working definition for small business. When I think of small business I think of single proprietors, I think of people with 10 employees. That's small business to me.

In my riding, in Wellington county, there are a great number of people employed in that size of business. Those are the ones who find the paperwork burden, the regulation burden, the red tape burden to be the most pronounced, simply because the owner-manager in many cases does a lot of the legwork himself. He or she is forced to fill in all the government forms, the forms the government expects small business to comply with, so they feel it the most.

I'm glad the government's bringing forward legislation which will make it easier for businesses to start, because generally many businesses, when they start, could very well be single proprietorships at that point. That will make it easier, but I think we also have to recognize that as these businesses grow they need help with respect to eliminating red tape and excessive regulation.

Over the past year, as I say, we've consulted. We've heard a lot of specific complaints about different programs that this particular government has undertaken, as well as programs that the Liberal government, between the period of 1985 and 1990, brought in. Many of these things I'd like to highlight very briefly this afternoon because I think it's important that the government recognize that this just isn't as far as we can go. We've got to go a lot farther with respect to eliminating unnecessary duplication, regulation and so forth.

We consistently heard that the \$50 corporate filing fee was a major impediment to doing business in Ontario. We've heard that it ought to be eliminated, and that's something that I support. I've had more mail from small business people on this issue than probably any other. They don't understand the reason for it. They don't accept the government's claim that the information has to be compiled, they don't accept the government's claim that it costs \$50 for them to maintain that information. I think it's something the government has brought in as a sort of minimum corporate tax, a simple way to collect quite a bit of money from business people generally. It's something I feel the government ought to address and it's something that it shouldn't be collecting.

As I say, I've received a lot of mail on this. I'd just like to briefly read a section of a letter that I received from a constituent on this. This was addressed to the Minister of Consumer and Commercial Relations:

"Dear Minister,"

"I must conclude that this is nothing more than a blatant tax grab. The information on this corporation is consistently kept up to date and I have no objection to submitting more paperwork to your ministry. I strenuously object, given the heavy tax burden that your government is imposing upon small business, combined with the absolute total incompetence of your party's administration of government, to the additional \$50 fee.

"Frankly, I and many of my colleagues had wished your new government well when you took office over two years ago. Notwithstanding your public posture on government auto insurance, we were looking forward to a change and, along with individuals and many other businesses, were willing to work with you. To say that you have shattered this residue of goodwill would be an understatement. You have destroyed it."

That's an excerpt from one letter I received. I also received a letter that was addressed to me complaining about the \$50 corporate filing fee from another constituent, and I'd just like to read an excerpt from it, Mr Speaker, if you would indulge me:

"It is my opinion that, should legislation be in place or not, and a corporation is inactive, it should not be required to pay or give information. The intent of the NDPers appears to be to extort money under as many different guises as is possible."

I think that most members of the opposition would agree with that statement and I think most members of the government, if they were being honest, would agree with that statement as well.

Another consistent complaint and concern we heard, and this comes under the issue of regulation and the regulatory burden, is the way the government is administering the employer health tax. We saw in the spring budget the Treasurer brought forward an indication and recognition that the employer health tax was killing job creation.

This is the tax the Liberals brought in in response to a commitment they made to get rid of OHIP premiums. They didn't tell us when they were campaigning on that issue that they were going to bring in another tax to replace that to recoup the money that was lost through OHIP premiums. They brought in the employer health tax. Again, it was a tax on jobs. It's not a tax on profitability, it's not a tax on your ability to pay. It's just a flat tax on your level of payroll, and it means that for new hires, it's an incremental additional cost that you probably don't need. I think it's one good reason why many employers have tried to keep their number of employees as low as possible.

The government of course responded with respect to new hires saying that there would be a temporary holiday on the employer health tax for new hires. We think the government should go further than that and we've suggested that the employer health tax should not be paid by the smallest of businesses. Any business up to \$400,000 in annual payroll should not be paying the employer health tax, and we'd like to continue to urge the government to implement that policy. Should they not do that and should we form the government next time, that's something I expect we would pursue.

1610

Workers' compensation was another persistent complaint. I hear from injured workers on this at our constituency office and I hear from employers about the problems with respect to workers' compensation and the difficulty in getting through to workers' compensation and getting an answer on workers' compensation issues. I raised this issue during the course of Bill 165 hearings. We're still, I understand, in that process, in clause-by-clause. That's an issue that is still being dealt with by this Legislature, but it also is relevant, I think, to this point of discussion today.

A couple of examples: The Guelph Utility Pole Co Ltd is a company in Wellington county that is a good small business. I think they employ around 40 people. I've been

in a couple of times to meet the people who work there and I know the owner as well. He gave me some information about what they've paid in terms of workers' compensation premiums since 1990, roughly the time the NDP took power.

They've paid about \$242,000 in workers' compensation premiums over that four-year period. They've had a pretty good safety record. They've had \$21,000 in actual claims. So they've paid almost a quarter of a million dollars into the fund and taken out as a result of their operations about \$21,000. Something like 8.9% of the amount of money that they paid in was taken out because of workplace injuries.

You would think that if you're taking out less than 10% of what you're paying in, that would be a pretty good safety record. That's not the way the government interpreted it. In fact, their rate went up by 30% the first of this year. There's an example of how workers' compensation is not serving the needs of employers.

I have another example. A constituent has written me very briefly on Bill 165, and I'd like to read very briefly one section of his letter. He says:

"An insurance system such as the Workers' Compensation Board must adjust its costs in response to the performance of the customers. Employers in the past eight years have reduced accident frequency by 30% and employers in my industry, construction, have reduced injuries by 61% over the same period. However, instead of lower costs, our average premium per employee has soared from an average of \$982 in 1983 to \$2,508 in 1992." In about 10 years, it's gone up 261%. "The costs of Workers' Compensation Board coverage for the construction sector are particularly sad."

That's another example where government policy is making it very difficult for small business to survive.

Another persistent complaint that we heard during the course of our consultations was the Workplace Health and Safety Agency. Of course, the enabling legislation was passed under the Liberal government, Bill 208. This agency has been up and running now for a couple of years. Their main objective is to try to promote workplace safety, they tell us. They want every business over 20 employees to have safety training, generally speaking, outside of the workplace.

I've had quite a number of small business people come to me with a number of employees roughly on the margin, say, about 25 employees, and they've told me that they are going to reduce their number of employees to 19 so that they won't have to go through the rigamarole of this Bill 208 and the Workplace Health and Safety Agency.

The Liberals were the ones who introduced the legislation which set up the Workplace Health and Safety Agency and the New Democrats have been administering the government for the past four years. So I think they're both culpable on this.

I think we all agree with the objective of increased workplace health and safety. The question is, how do we get to that objective? I'm not sure that the Workplace Health and Safety Agency is meeting its own goals for



achieving enhanced workplace safety. I find again letters continuing to come in from constituents complaining about the level of red tape and regulation.

This is one example of a form that was sent to a constituent of mine. It's a survey that they have to complete to conform, I guess, to the requirements of the Workplace Health and Safety Agency. It's about 18 pages long. They've got specific, detailed questions. It might be nice for the government to have all this information; I guess the government feels that it needs to have it. But the reality is, I assume, just as an estimate, this would take a small business person a good hour to fill out. If he's a single proprietor, he doesn't have the time to do that obviously, but when he gets close to 20 employees, it's still a very small business and I think it would be very, very difficult to continue to fill out this sort of information.

Our consultation process also heard another big issue out there, and that's the issue of the social assistance system. The way it comes into effect in terms of small businesses, many small business people see the social assistance system as being in competition with them. They have to keep their wage rates at such a level, because of the competition from the social assistance system, that it becomes very difficult for them to pay their employees.

We've put forward a number of specific suggestions about how the social assistance system ought to be reformed.

We've said that there should be mandatory workfare and learnfare for able-bodied recipients. We've said that 170,000 elderly and disabled recipients should be taken out of the welfare system entirely and their benefits should not be altered in any way. We've said that Ontario's welfare benefits should be about 10% above the average of other provinces and they shouldn't be higher than that. We've said that enabling current welfare recipients to earn back the difference from their old and new benefit levels would be desirable.

We've said that we need new programs for literacy, nutrition, parenting and child support. We've said that eliminating an existing system which grants benefits to 16- and 17-year-olds who simply choose to leave home ought to be done. We've said that the government should end direct deposit for benefits and require in-person pickup of cheques by recipients.

Again, I think these are concrete suggestions that the government ought to follow up on, and if these were brought into effect, in some way small business would be assisted.

Another complaint that we've heard, and this is probably the last one that I want to talk about before I get into my conclusion, is the issue of the government's so-called employment equity program. We call it something different. I support the idea of employment equity in principle. I think there should be fair hiring practices and I think the government should encourage that in every way that it can. But I don't believe the answer is bringing in a system of job quotas.

Now, the government gets excited when we call it job quotas and they call it not job quotas; it's numerical

goals. But I think most of us would agree that they mean one and the same thing. It's something that is making it difficult for small business. It's another level of regulation and asking small business to fill out forms that they don't have the time to do. And still we're seeing a government that's I think quite insensitive to the needs of small business overall.

We need jobs in Ontario. Our unemployment rate has gone down significantly. The government is talking about that now and quite happy about that, I'm sure, as we all are, that the unemployment rate has gone down significantly. It was interesting, though, that when the unemployment rate was high the government wouldn't admit any responsibility for that. It was always somebody else's fault. But now that the unemployment—

**Hon Ms Lankin:** Wait a minute. That is what you say: It's all our fault.

**Mr Arnott:** No, no. You said, when the unemployment rate was high, that it wasn't your fault, and now that the unemployment rate is lower, you are taking credit. That's clearly the message that the government is trying to put out in advance of the election. That's clearly what's happening.

In our area, in Wellington county, our unemployment rate is down to about just over 6% and we feel quite proud of that and we're quite pleased with that. There are still too many people looking for work who can't find it. There are still too many people who feel a sense of job insecurity even though they are working, and that influences their spending habits, which has an effect on the economy. We still need to really work hard to try and eliminate the unemployment problem and we're not there yet.

Business confidence is up, as one of the members across the floor indicated, and I think there are a number of factors for that. But as to the involvement of the government in this issue, to the extent that business confidence is affected by the knowledge of the NDP in power in Ontario, it's still a negative influence, and I think you would recognize that if you were being fair. It's still a negative influence towards business confidence.

Two years ago I surveyed my constituents on quite a number of issues. It's another form that I asked them to fill out, so it's similar to what we're talking about here and I think it's helpful. But I asked them a direct question. Which approach did they think would create more job opportunities in Ontario: direct government job creation—and I tried to illustrate what the government was doing with respect to Jobs Ontario—or less government regulation? Which approach would likely encourage more job creation? This was a general survey to all constituents, not just to business people, so it sort of gives you an impression of what the average person's thinking would be on this issue.

Eighty per cent responded that less government regulation would be a better way to create new jobs, as opposed to direct government job creation. That tells me that the vast majority of the people in Ontario understand that we've got to have this as an objective, to reduce the level of regulation and red tape, that this should be an objective of the government, and that direct government

job creation such as the Jobs Ontario program is just not going to be as effective, plus it's very costly.

As the government knows, it costs, I guess at a maximum, \$10,000 per worker hired, so it costs the taxpayers something to create the jobs that you're creating for the Jobs Ontario program. It's very costly, notwithstanding the advertising campaign that you've undertaken to try and enhance awareness of the program. Clearly, less government regulation would be the main objective and the main way to go.

I'll conclude my remarks by reiterating what I said earlier in my introduction. This is a bill that I can support in principle at second reading, and I look forward to hearing more of the debate in this Legislature this afternoon to see what other members are putting forward.

I would have to say once again it is a very modest first step to solving a large complex problem of over-regulation, and I would encourage all members of the Legislature to view that as a priority and put forward whatever ideas they may have, such that we can work together collectively to address the problem.

1620

**The Acting Speaker (Mr Noble Villeneuve):** Questions or comments?

**Mr Kimble Sutherland (Oxford):** I appreciate the remarks made by the member for Wellington. I wanted to comment on a couple of things he said. Once again, he brought up the issue of WCB and he talked about the impact on small business. I agree with him, there's no doubt that there is a significant impact there.

Every time the opposition parties bring up the issue of WCB and its problems, particularly the issue of the unfunded liability, I am constantly amazed at how short their memory is because, as you know, in 1980 the unfunded liability of the Workers' Compensation Board was \$400 million. By 1985, the unfunded liability was about \$5.5 billion and by 1990 it was up over \$10 billion. So the vast majority of that unfunded liability that is resulting in some of the premium increases that are impacting small business—Tory and Liberal governments, but they won't take ownership for it.

On the issue of employment equity, the member said, "I consider small businesses 10 employees or less." Well, read the employment equity legislation. It clearly says that small businesses with less than 50 employees are exempt from the legislation. So I don't see how you can use the example of employment equity as being a detriment to small business when they've been exempted.

Let me say too that I appreciate his comments that this is a good step. He's right, it is a good step. But the other thing the opposition parties have been saying is, "We're going to cut the red tape," but they haven't identified what they consider red tape to be.

Is it environmental regulations that protect people? We heard the leader of the third party today making his concerns about, "I'm concerned about the drinking water in the province of Ontario." But is he going to cut those regulations? Well, come on. If you're going to say you're going to cut red tape, you've got to be very clear about what the areas are. It is this government that is making

dramatic steps to cut the red tape and help small business in the province of Ontario.

**Mr Duignan:** I want to commend my colleague from Wellington and indeed my colleague from Brampton North. I appreciate the kind comments they made about our legislation and I look forward to working with them over the coming weeks on this particular piece of legislation.

However, there were a couple of points made by the member for Wellington. One, the member for Wellington pointed out that Clearing the Path would assist in setting up a business, and indeed he's correct. However, it goes beyond that as well. It will help the ongoing running of business, which is a very important point. It will streamline all forms that businesses use, like tax payment forms etc. We're talking about a unified reporting system, and it will also allow for easy payment of existing taxes.

He also raised the fact of the filing fee, and we keep hearing this about the \$50 filing fee, Mr Speaker. You know that the filing fee in Ontario is in fact very comparable to that charged in other jurisdictions and that 80% of our business records, when we took office, were incomplete and incorrect and our filing system—what we've done has improved that. When you consider in fact that the police and lawyers etc do approximately 300,000 searches a year, it's very important that the information is up to date and indeed is correct. Again, I believe the filing fee is reasonable and comparable to other jurisdictions and in fact it leads to good management of the filing system.

**Mr McClelland:** The small business advocate for the third party mentioned the filing fee, and the parliamentary assistant picked up on it. It seems to me that we should take a good look at that corporate filing fee and maybe reference it somewhat to the act, section 6(2), which says this particular piece of legislation includes the authority to adjust "the amount of fees that businesses are required to pay under designated acts," and for filing fees.

I hasten to remind the parliamentary assistant of the numerous cases whereby businesses found themselves being deregistered for not having paid a \$50 filing fee—countless cases where businesses have operated successfully for many years. You'd almost have to think it was a conspiracy, to hear them, because they claim, legitimately I believe, that they didn't receive any notice. They say, "It's funny that the government can find the business for the filing of taxes and for the demand of other forms, but when it came to touching base with me in terms of the failure to pay my \$50 registration fee, I didn't find out until it was too late and had to go through all the hoops to re-register and pay hundreds upon hundreds of dollars." That again is indicative of the fact that you're out of touch with what's happening in the real world.

Over and over again, businesses have called from all over the province to find themselves having been deregistered because they weren't properly advised and didn't know they were being deregistered. They found out only when they went to engage in some other activity or interaction with the government that they no longer existed. The government saw it had created a problem



and in fact did away with the automatic deregistration and allowed them an opportunity to remedy that. But there were a whole lot of people caught in the middle, in between the creation of the problem and the solution, and those people have been left hanging. If you want to do something about business, deal with that kind of problem as well.

**Mr Paul Klopp (Huron):** I'd like to thank my colleagues for the work they're doing to help small business and getting on with Clearing the Path. This bill is going a good step forward.

The \$50 filing fee is something that seems to come up a lot, and it's been very interesting. When people phone my office to complain about it, my first instinct was to say, "Why do we need it?" This process was put in place years ago by I think the Conservative government because the business community needed this to protect the shareholders and the people who made the companies. I also found out at the time that there was a filing fee. The government at that time believed that the general public shouldn't be paying for someone's own personal needs, and in this case the filing fee was put in place. I believe it was 1983 or 1984 that the filing fee was dropped. So be it. That meant that the rest of us taxpayers who don't have companies were paying that bill.

We came in and one of the things we said we had to do was to be more fiscally responsible, to have people who want something to pay for it, which I do. I understand that. If there's something I want to have, I'll pay for it. We looked into the situation. We found out that in most provinces, as was pointed out, it's somewhere in the neighbourhood of \$100 to \$200 filing fees. We said, "We don't want to go out and just completely go from nothing to \$100." We said \$50, we picked \$50.

Many people in my community then all of sudden got whipped up by opposition members, which is fine. We did the same thing when we were in opposition, said, "Oh, jeepers, this is the worst thing since sliced bread." So I put it to a number of people: "Why don't you say we don't need that program at all? Let's cut it out completely." Well, I haven't heard any chamber of commerce or anybody write in and say, "We don't need the program to protect me." Unless someone wants to come along with that, I'm willing, as a small business, to pay that to help the administration costs so the rest of us don't have to pay for that.

**The Acting Speaker:** This completes questions or comments. The honourable member for Wellington has two minutes in response.

**Mr Arnott:** I'd like to thank the member for Oxford, the member for Halton North, the member for Brampton North and the member for Huron for responding to the comments I made this afternoon.

I'd like to respond very briefly to the member for Oxford's observation about workers' compensation. He talked about the unfunded liability. I don't believe I raised that particular issue with respect to my comments this afternoon, although it is a major concern. He has to recognize that as premiums go up, as the cost of employing people goes up, it makes it more difficult for small business people to hire new employees. As premiums go

up, it probably diminishes our opportunities for new job creation in Ontario.

He mentioned employment equity and, yes, I do think of small businesses being 10 employees, but I wouldn't say that's the absolute ceiling. Certainly, businesses employing 50 people, which comes under the employment equity requirements of the government, would be small businesses as well. Without question, that is a new level of regulation that did not exist before the New Democrats took power that is a major, major impediment to small businesses operating their affairs efficiently and directly without excessive direct government interference and regulation.

The member for Halton North talked about how this bill is going to make it much easier for small businesses on an ongoing basis. Our critic, the member for Parry Sound, responded to the minister's announcement last week—I guess two weeks ago now, because of the break—that the government expects businesses to fill out about 43,164 forms. This will consolidate four forms, so there is still a lot of work to be done in that respect.

The \$50 corporate filing fee: An interministerial committee came up with that number I think in 1992 under your government. It's still a major, major irritant to small business, and the government has to move on that.

1630

**The Acting Speaker:** Further debate? The honourable Minister of Industry, Trade and Technology.

**Hon Ms Lankin:** Economic Development and Trade. There's been a ministry name change there, Mr Speaker.

I appreciate the opportunity to participate in this debate. I'm going to keep my remarks brief today. I think the member for Halton North, who is the parliamentary assistant to the Minister of Consumer and Commercial Relations, has set out in adequate detail the nature of this legislation, the initiatives the government is pursuing, both directly as a result of the legislative initiative and on other fronts. What I want to do is talk about some of the reasons we are pursuing this and how we got here, and I think respond in brief measure to the opposition members on some of the points they have raised.

I would like to begin my comments by paying tribute to the member for Norfolk, who is a parliamentary assistant in the Ministry of Economic Development and Trade, and his parliamentary assistants' committee on small business. The member for Norfolk, in his role as parliamentary assistant responsible for small business, led a parliamentary assistants' committee that consulted with small business, that did a great deal of work in developing the proposals which have resulted in the legislative initiative and some of the administrative changes that you are seeing coming about through this Clearing the Path project.

Listening to some of the opposition's comments, I think there is support for the legislation. I think I heard that in there, and I look forward to seeing them voting in a positive manner on this bill. I heard a number of gratuitous additions to that, saying, "But it's only a small step; it doesn't go far enough." I'm reminded of some of the old conventions I used to go to, where you'd have

people at the pro mike who really were in opposition to something, who'd get up and say, "You know, this is good, but it doesn't go far enough."

We are on a course for reforming how we do business, in the government of Ontario, with the small business community, because we recognize that the small business community is one of the most important generators of jobs and economic activity in the economy of the province, and we are committed to working with it to make it easier to do business. The less we impose on them, the less burden they have to bear of filling out government forms and responding to government imperatives, the more time they can spend in growing their businesses, doing what they do best, running the businesses, creating economic activity in those businesses, increasing sales and hiring new people in to meet the demand. That's what we want to see happen out there.

I don't think, actually, if you were to be truthful in this House, that there is any difference of opinion in the three parties with respect to the value of moving in that direction. When I came into the portfolio of Economic Development and Trade, which was a year and a half ago, I found the Clearing the Path project, that the parliamentary assistant was leading and pushing and trying to get a response from all the various ministries on, in such shape that we had to sit down, he and I, and decide we were going to push this through ministry structures beyond the Ministry of Economic Development and Trade, which saw the value of this and was supportive of this, in order to make it happen.

I think the members opposite truly, truly are undervaluing the importance of this kind of initiative to have the legislative framework in place that allows us to override years of consumer protection legislation, in one area, that says you need to have this form done this way; business registration legislation in this place that says you have to have this form filled out this way, some of it filed on microfiche; and in order for it to be legally challengeable in court, there has to be this version of it that's on file in legal offices.

All those myriad legislative requirements we delved into, like peeling the layers of an onion one after another, to determine all the problems that existed in the bureaucracies in coming to some simple solution. We determined that the clearest and simplest way was to cut through that with a piece of legislation that said: "We can override that and we can simplify and through electronic filing have one single-window access for businesses to come to government. Enough of small business having to go to this ministry, that ministry, this office, this office, fill out that form, meet this requirement. You bring it to us, to one place. You fill it out in one spot. You give it to us, and inside government we'll do the running around to meet all the bureaucratic requirements instead of wasting your time as a small business owner." That's the premise of this legislation and this initiative.

While members opposite can say it's only a small step, it is a remarkable change of course from the way in which bureaucracies, in the neutral sense of a bureaucracy, operate and need to maintain their own operation. This is breaking with tradition in a tremendously import-

ant way, and I credit the tenacity of the parliamentary assistant for his work on this and feel proud of the way in which I was able to support him to bring this project through to fruition.

On the value of businesses being able to register in a simple way, may I say we're not just looking at the present-day situation; we're looking to the future. We're negotiating with the federal government to get it to buy into our approach so that we could have a single business registration number that applies to doing business with the federal government and the provincial government. We would like to eventually bring municipalities into this. We are cleaning up our own house but we're providing a framework and a leadership for other levels of government to join with us in simplifying the approach for small business to do business in this province.

I've talked about registration forms and getting permits and fees and licences, and the importance of our initiative with respect to that. The second aspect of this is the direction we're moving in with respect to unified reporting. That's the ability to remit taxation like the employer health tax, the retail sales tax, eventually corporate income tax and workers' compensation premiums, through one form and one filing.

Right now, each of those provisions for remittance to the provincial government on these various areas occurs at different times of the year. Some of them have filing requirements of twice a year, some have once a year. They don't coincide with each other. Small business is running around and calculating its returns of this quarter or that quarter to meet different government program requirements. We are going to change that. We are going to say: "We're the ones who can change what our requirements are. We can bring this all together so that there is an easy way to file your remittance when you're dealing with bureaucracies within the provincial government and you can do it through filing of a single return."

That is quite revolutionary when you think of the way in which governments operate. I would like to see down the road that the federal government and municipal governments would join with us on those initiatives as well. These are very important milestones, I think, in underscoring our commitment to trying to work with small business in a different way.

Members opposite can continue to shrug their shoulders and say: "Big deal. This is not important and you're not really committed." I can tell you the hours of work that the parliamentary assistants, myself and the staffs in our office personally put into seeing this project come to fruition, and that now the parliamentary assistant to the Minister of Consumer and Commercial Relations and the minister herself and their staffs are putting into seeing it through in its implementation. There is a commitment here and there is a political will. If there wasn't, let me tell you, the inertia that exists in large organizations like the government would have killed this initiative. It wouldn't have been happening here today.

I ask members to reflect on their rhetoric at certain points in time and to give credit where credit is due, and the ability we have to have broken through this tough bureaucratic logjam to bring this initiative forward. I'm



proud of it. I think they support the intent and I look forward to how they vote on this.

1640

I'm going to conclude my remarks, because I know the member for Norfolk will be speaking on behalf of our party and will be talking more extensively about his consultation and the advisory committee we pulled together from small business that helped us design this initiative.

I just want to say that this is only one of the areas that we are addressing with respect to small business. We are dealing with issues of access to capital, which is very important for small business in terms of accessing the financing they need to grow their businesses. We are dealing with issues that affect their taxation levels, like controlling health care costs and bringing government deficits under control in order to bring about a fairer tax system out there overall.

I can tell you, if you look at our corporate tax rates in comparison with the majority of our border US states, we are more competitive on our combined corporate tax rates than any of the US states at this point in time, and that's very, very important.

**Mr Chris Stockwell (Etobicoke West):** Take WCB and the employer health tax.

**Hon Ms Lankin:** That's when you include all payroll taxes. I can show you the competitiveness reports, to the member who is raising questions about that.

The steps we are taking on WCB in terms of avoiding the kind of unfunded liability that was there and reducing that out into the future so that we'll be able to help control the increase in rates that employers are going to be experiencing, these are all very important steps.

We're also working with small business in terms of helping them look outward to the international market. Our support for exporters working with small, innovative growth firms, to help them grow or improve their technological capability and their international capabilities, to focus on the skill levels they need in their workforce and the managerial and technical expertise they need to grow those companies, those are all concrete actions that we have taken, programs that are in place now and programs that are paying off as we see small business growing and generating the jobs that we need for now and generating the jobs that we need for the future in this province.

I'll be supporting this bill. I'm very proud of this initiative. It is one of a number of things we're doing with respect to small business and it underscores the commitment of this government to working with the small business community to create jobs in the economy of Ontario.

**The Acting Speaker:** Questions or comments?

**Mr Gary Carr (Oakville South):** I say to the minister, if everything is working so well and, as you know, 80% of the jobs are created by the small business sector, then how come businesses are leaving this province in record numbers under your management? You've had one philosophy in this province: Anything that moved, we taxed it; if it still moved, we regulated it; and then ultimately when it goes out of business, we turn around and subsidize it.

This is a minister who has done nothing but go around and cut ribbons in the province of Ontario and bail out companies that are failing because of the fact of their policies. What about the high taxation? What about the hydro rates? What about the overregulation? What about Bill 40, the job-killing labour legislation? What about the message you sent with the private sector day care people? The private sector, which does the job faster, better, cheaper and at no expense to the taxpayer, has been thwarted, penalized and shut out because of political ideology. We've lost more jobs than anywhere else.

I don't blame this all on this government. Governments at all levels and of all political stripes have been overtaxing, they've been overspending, they've been overgoverning, they've been overregulating, and we've been oversimplistic in our whole approach to public policy in the last 10 years in the province of Ontario.

This minister stands up and says, "It's okay, we're going to help you." With all the forms out there, she says: "Don't worry, we'll run around and do it. We'll run around and pass all the forms." She couldn't even tell me where these forms go.

If we were in the private sector and we followed this through on what is going on in setting up a business, the people in the private sector would say, "You've got to be ridiculous to be spending this amount of time." Everywhere else, everybody's got to do better with less. Not with the government. More forms are coming out here, 43,000 pieces of forms that are put together by the interministerial committee. They said that half of the communications that go on in the province of Ontario go through paperwork. All this stuff would be piled higher than the Speaker's chair and, quite frankly, it is absolutely useless because of the small start—

**The Acting Speaker:** Thank you. The member's time has expired.

**Mr Carr:** It's going to take a new government to really change and bring back jobs and hope to the small business sector in this province.

**Mr Jamison:** We've heard here how important this bill is to the small business community and to the economic wellbeing of the province. I think it's important to stress again that in this place, in this House, from time to time, we hear a tremendous degree of what one might consider to be rhetoric rather than factual statements. The factual statements that are given here are ones that I think are well-intentioned and ones that in fact are fact.

The last time I stood in this House to speak, as I said the last time when I spoke about the economy—certainly there's a question here on whose facts are correct and whose fiction really is being heard here. It's fact that at this present time 50% of all new jobs created in this country are being created here in Ontario—that's fact—and that we're leading the way. That should be the headline every day in the newspaper, that Ontario is leading the way.

When I hear the rhetoric that takes place—and of course one tends to get under one's skin depending on whose side of the House you're sitting on at that particular moment. The facts are clear: Ontario is leading. This

bill will directly help small businesses in their dealings with governments and, again, we're going to lead the way in that aspect of economic growth by helping businesses compete.

**Mr Stockwell:** In commenting on the comments made by the minister, let's just deal with a few facts I think we can all agree on: This study was commissioned by the government, parliamentary assistants travelling the province led by the, I'm sure, able member for Norfolk. It's at least two years ago, if not more, maybe three years ago that the member took up the challenge to travel the province and write a piece of legislation that would be brought to this House and have great debate on how we can—they've got a catchy phrase—clear the path for small business in the province of Ontario.

So for a number of years the member for Norfolk and his parliamentary assistants travelled this province getting input on how we can clear the path for small business so they can operate more efficiently in Ontario. Here we are, some three years later, and we got an eight-page piece of legislation. It's not even a decent private member's bill, but eight pages of legislation. The key component of this legislation—I can't believe the minister could speak so long about it, there's not enough in it—but the key component, the spearhead, the foundation, is, "We're going to consolidate four forms on a computer so when the business people go in they can fill out four forms at the same time."

That is the beachhead that this government is banking on to clear the path so small business may prosper in the province of Ontario. I'm not making this up. You've got to read it. When the minister stood in the House, that was the framework, that's what she spun it out on. "We've amalgamated four forms out of 43,000."

Those are facts: eight pages, four forms. I don't know about the rhetoric, but it's rather implausible for me to believe this minister, these members, can stand for so long and comment so long on this paltry bit of legislation.

**Mr Sutherland:** Once again I want to compliment the Minister of Economic Development and Trade for her remarks. It is unfortunate, though, that some of the opposition folks didn't actually hear what she said. Once again we see that the opposition party's math is not working very well.

This legislation is about setting out a framework. It doesn't just allow you to combine four forms. It sets out the framework not only for registration, which we already know—I think there are more than four ministries you have to go to. There are far more than four forms that are being reduced here. It's not only the initial registration, it's later on in the unified reporting mechanisms, the different forms there. There are all kinds of forms that are going to be reduced. I don't know where they came up with the 43,000 figure, but it is not just four forms and I think the members on the other side know that.

I want to repeat, though, how this is a very, very positive initiative because it's setting out a longer-term framework so that small business will be able to do things much, much easier.

We've heard about how this piece of legislation is killing jobs, that piece of legislation's killing jobs, something else our government's done is killing jobs. Well, the facts of the situation today don't jibe with that. It's clear the opposition is out of touch with the reality.

Our unemployment figures are down. We're going to lead the country in economic growth. We're going to lead all the areas in the OECD countries. Business confidence is up. I was reading more articles day after day saying how Ontario is going to lead the country in the recovery. So the opposition can't keep saying, "It's all doom and gloom. You've done everything wrong. You're driving jobs out of the province," when we're leading the country in economic growth and job creation. They've got to get back in touch with reality.

1650

**The Acting Speaker:** This completes questions and/or comments. The honourable Minister of Economic Development and Trade has two minutes in response.

**Hon Ms Lankin:** It's always enjoyable to hear the member for Etobicoke West. He is amusing and entertaining, and sometimes accurate. But today I want to take him on on a couple of points that he raised in response to my comments.

I do think it's interesting, and the viewers might like to know, that his considerable study of the bill included asking the member behind him to send it over as he was preparing to stand up in response. He flipped at it, he counted the number of pages, and based on that he has this very articulate criticism of the government's bill.

**Mr Stockwell:** Oh, come on.

**Hon Ms Lankin:** It's also very interesting that the party which is the most interested in easing regulations on small business and burdens on small business—

**Mr Stockwell:** On a point of order, Mr Speaker: If the minister's going to suggest that the first time I looked at this bill was when I asked the member from Wellington to pass it over, I would ask her to withdraw it. It took me 10 minutes to read the bill last night.

**The Acting Speaker:** Sorry, that's not a point of order.

**Hon Ms Lankin:** It even underscores my point more. Here is the party which suggests that we should lift all regulation and have no burden on business in terms of heavy government legislation and regulation, reams of paper and rules and whatever, and what are they complaining about? There's only eight pages in the legislation. It's too short. There isn't enough for them to debate to keep them busy in here. There isn't enough regulation to place on business.

I want to move away from the guys who sit in here and debate all day long. Quite frankly, I'm glad they're here and that they're not out there in the business world. If they were, I'm not sure they'd be making it.

Let me tell you what the people in the business world are saying about the initiatives that we've put in, whether it be our sector strategy, our international strategy, the investment service or Clearing the Path: the Ontario manufacturers' association, the Ontario Chamber of Commerce, the Ontario exporters' association, every one of



them on the record saying this government is doing the right thing in these initiatives. They support what we're doing, they've been there and helped us design it. They're with us all the way on this. That's a lot more credible comment on this legislation and this initiative than what I hear from the Tory benches.

**The Acting Speaker:** Further debate?

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to join the debate on the bill. The Minister of Economic Development indicated earlier that perhaps not everyone has had experience in the business world. I'll just say that my background is business.

**Hon Ms Lankin:** I was talking about the Tories.

**Mr Phillips:** I appreciate that. She said, "I was talking about the Tories."

Just so the viewers realize it, there's a diversity of experience in the Legislature. I'm not the only one with business experience, but my background is business. I left one firm and joined another firm of 10 or 12 employees and then became president and it ended up with perhaps 40 employees. Then I started up two businesses literally from scratch, and I have some appreciation of what it takes.

One Boxing Day, I remember very clearly, another person and myself got together and kind of sketched out an idea on a piece of paper. That company actually in the end went, in less than 10 years, from those two people sitting around with a piece of paper to 300 employees. I joined the Legislature and my partners bought me out and did very well with it. Good for them. I'm happy to be here.

**Interjection:** We're happy you're here.

**Mr Phillips:** You're happy I'm here and they're happy I'm here.

**Mr Sutherland:** They're in Florida.

**Mr Phillips:** They're in Florida perhaps, yes. I started a third company up, the same thing. So I have some appreciation of the challenges of small business.

Someone said to me actually just earlier today that government is still in what they called the mainframe era when the rest of the world is in a laptop era, and I do think that we—

**Mr Stockwell:** Can I steal that?

**Mr Phillips:** Someone said, "Can I steal that?" or "I wish I'd said that." You will, Mr Stockwell.

I don't think there's much doubt that our small business community is dealing with governments at all levels, but certainly a large provincial government that perhaps doesn't appreciate that when you're in small business 98% of your time is spent trying to figure out how you serve your customers.

You really do have very little time to figure out how to deal with government. Frankly, your primary worry is how you deal with your customers, how you build your business.

We do need a sense of thinking around here to try our best to realize that small businesses are often one, two, three people; that the less time they have to spend trying to figure out government, the better for them and,

frankly, the better for us, because they'll grow their business and develop their business.

I just want to say a couple of things about the environment they face. A couple of members opposite indicated that things are just fine. Well, things aren't just fine out there. I looked at the employment numbers, and it is true that Ontario is seeing good job growth right now, and we're happy about that, but we have to realize that in Ontario we still have 100,000 fewer jobs in 1994 than we had five years ago—100,000 fewer jobs. This, in spite of the fact that there's probably about 300,000 more people in the labour force: 100,000 fewer jobs. I might add that while we have 100,000 fewer jobs, the rest of Canada has about 230,000 more jobs. So, yes, 1994 is a period where we're beginning to see job growth, but we're not even back to where we were in 1989. We're still 100,000 fewer jobs in Ontario, and the rest of Canada is up roughly 235,000 jobs.

That's serious. There is no doubt—we all know this; it's a cliché, but it's true—that job creation occurs in our small businesses, so it is important that we create a climate where small business can create jobs. Over the last five years, as I say, we have actually 100,000 fewer jobs in the province of Ontario.

I might add—I happen to live in Metropolitan Toronto, as many of the members do—that it is particularly acute in Metropolitan Toronto, as I think we all know. Metropolitan Toronto has lost about 200,000 jobs over the past five years. Obviously the rest of Ontario has gained close to 100,000 jobs, so that's the net 100,000 job loss.

The second thing our small business community faces, without a doubt, is that we can't escape the fact that the financial and the fiscal environment we have in Ontario has changed dramatically. We have seen that we have had four straight years of deficits well over \$10 billion.

*Interjection.*

**Mr Phillips:** I appreciate the member across, from one of the Scarborough ridings barking, but I think the small business community realized the difficulty they are facing when the debt of the province has gone from roughly \$40 billion to, when this government's term expires, over \$100 billion. That means 17 cents of every tax dollar the small business people in this province pay will go just to pay the interest on the debt, \$100 billion worth of debt.

I might say that the confidence of the business community is not enhanced at all when we get a report, as we did today, where the auditor is saying that the way the finances of this province are reported is "improper and incorrect." Those were his words, "improper and incorrect." The auditor is saying that the deficit is actually \$2 billion higher than the Rae government is reporting for 1994-95. The auditor could not have been more specific, saying the way the finances in this province are reported does not give the public the information they require to assess the fiscal picture of this province. There is no doubt. He would not sign the books last year, forced the government to change the way it reported the numbers, forced the government to correct incorrect reporting, and I say to the Provincial Auditor, thank you.

The problem is that for 1994-95, the fiscal year we're in right now, the auditor has made it very clear in this report that the books aren't the right books. We have two sets of books in this province, one that the auditor will sign and the other one that the government is reporting. It's out by \$2 billion. I will just say that as the international financial community looks at Ontario, they can't believe we have two sets of books in this province.

1700

**Interjection:** What are we debating?

**Mr Phillips:** The member across the aisle is saying, "What are we debating?" We are debating the environment that the small business community faces. As many of the earlier comments reported, this is the environment the small business community faces. This is the environment they are facing, in which they are trying to create jobs for the province.

I would also say that part of the plan in this bill is for a substantial increase in the use of electronic filing and reporting. I say to the members of the Legislature that we have had due warning from the privacy commissioner, and the Provincial Auditor in this report, about the need for safeguards of that information.

One of the more troubling things we've seen in the past few weeks around here is the abuse of private, confidential information the government has access to and is being used against the citizens of this province. To me, it's a fundamental issue: the government using confidential, private information to attack private citizens. I will use three or four examples.

There was a mining executive in this province whose private, confidential business records were reported publicly, and a cabinet minister was forced, as a result of that, to resign. There was a doctor in Sudbury whose private, confidential records were disclosed publicly, and a cabinet minister was forced at least to apologize. There was the case of a private citizen's records being divulged actually by someone in the Premier's office in an attempt to discredit an individual. Then, just two weeks ago, apparently another individual's private records were being used by someone on a political staff in the government to discredit the individual.

The reason I raise all these issues is that both the privacy commissioner and the Provincial Auditor have raised them. The strength of this bill is that we are going to use technology and we are going to, I hope, dramatically improve the efficiency of individuals trying to do business in this province. But at the same time, individuals in this province, both doing business with the government and in their private records with the government, have to have an absolute assurance that those records will be treated confidentially and that they will not be allowed to be used publicly to discredit people.

I will welcome the comments of the parliamentary assistant as we move through the legislation to provide the assurances to the public that the necessary safeguards are built into this.

As the government itself said, it is cutting across ministries, allowing for much easier access to information, making sure it is simpler to gather the information,

but in several places there are clauses which—for example, on page 6 it says:

"Despite subsection (1), a minister shall not disclose personal information under that subsection unless the disclosure,

"(a) is authorized by the minister responsible for the administration of the act under which the information was collected;

"(b) complies with the regulations made under this act...."

In other words, the minister is allowed to make regulations under this act that at least run the risk of allowing for much broader disclosure than was previously permitted, and perhaps circumventing the protections that the individual had under the Freedom of Information and Protection of Privacy Act.

That is a second issue about which I think it's important for the parliamentary assistant to address the Legislature. Can you assure the House that we have the safeguards built into this legislation that the individual's private information will have the necessary protection?

The need to cut red tape is obvious. We're in a whole new era of doing business. We know the clichés: that the information era is here, technology is here, the use of technology will very much drive our ability to compete globally. We are in a race with virtually every other country in the world now for trade. We certainly are very supportive of developing our international trade. One of my concerns is that we're doing very well in trading with the US right now and, thank goodness, particularly in the auto sector doing extremely well, but our trade with the rest of the world is lagging. There's no doubt that we have to create a climate where our business community is able to compete and deal effectively globally, and one of the ways you do that is to allow them to move more quickly, allow them to be more flexible, allow them to adapt the techniques that successful businesses around the world use. I think members of all parties are supportive of that.

However, for it to work we need, as I said earlier, a climate where small business can thrive, and that climate for small business thriving is as much, or more so, driven by the government getting its fiscal house in order, by creating a climate so that the international business community has some confidence in the business environment here in Ontario. I might add that we're not helped at all when we have two sets of books in this province. We must be the only jurisdiction certainly in North America, maybe in the industrial world, where the independent auditor would refuse to sign the books, where the auditor is saying the books are out by as much as \$2 billion. That will undo all the good that can be done by facilitating and making it easier for small business to incorporate, for small business to register itself and for small business, as we move down the road, to deal with government.

I might also add that we're very supportive of increasing the cooperation between the levels of government. If there's one message, among other things, that I got from Prime Minister Chrétien's successful trip, the Team



Canada trip, it's that Canada wants to see its levels of government working together and working cooperatively. There is no doubt that there is only one taxpayer, so the time when we can say, "The deficit, the debt there, is federal, and this is provincial," or vice versa, is gone. In fact, the international community is clearly looking at Canada in totality, and one of the things it's looking at very closely, I might add, is not just the federal debt but the aggregate of the provincial debts.

Increasingly, and at a very rapid rate, the public is saying, "Let's get rid of the bickering, the inefficiencies of bickering among levels of government, and the complications of trying to deal with different levels of government." If you're trying to run a business you do not have the time, the energy or the resources to be trying to wade your way through three or sometimes four levels of government and trying to figure out: "Where does this form go? Where does that form go? Who do I owe what money to? Where does this tax go? Where does that tax go?" We're very supportive of making it easier to register new businesses and working cooperatively with other levels of government to make it much easier for businesses to do business with government. That aspect of the bill has our support.

1710

There is no doubt that this is a worthwhile step, but that it is, frankly, as the member for Etobicoke West said, a small step. It in many respects has as much to do with wanting to make sure there's a line in the NDP's campaign about cutting through the red tape, eliminating, paving the way, whatever the right jargon will be. This is frankly a small step, but a step that's worth taking, a step we are supportive of. But much more important than this are the issues I raised before: demonstrating we can get our fiscal house in order, dramatically accelerating our ability to do business globally, getting the finances of the province properly reported, acknowledging that our job situation continues to be very critical and crucial.

I might add once again, as I don't like to miss this opportunity, it is particularly critical among our young people. If you look behind the numbers on youth unemployment, and some may know this is an issue I've been interested in for a long while, there is no doubt that while we are seeing job growth among the over-24 age group, and fairly good job growth, we actually are still losing jobs among young people. Actually, year to date—we're 10 months into the year now—we are seeing job losses among our young people; they're actually losing jobs. If you were to do an analysis of the employment situation among young people, I think the real unemployment rate among young people is close to 30%.

The reason I say that is, if you look at the population 15 to 24 and you look at that over a five-year period, look at the number of young people who are in school and take that into account, you find that about 140,000 young people have simply dropped out. They're there, but they're not at school and they're not in the labour force, and they're not recorded as unemployed. You put those together with the reported unemployed, and the unemployment rate you will get is close to 30%. As I say, as the job situation improves, unfortunately I think the

young people are still being left behind. If you read the report by Statistics Canada, that was one of their key conclusions.

In trying to create an environment where our small businesses grow—frankly, often it is young people who are starting businesses up; we have some naturally very entrepreneurial people in the province. Hopefully, if we can create the climate where they can create their own small business, we can be very helpful to them on the unemployment front. Our young people face a crucial situation without jobs, and I don't think it is exaggerating to say we are sowing the seeds of a substantial problem if we don't focus on that, if we don't realize that in a growing trend of job creation, those young people are being left behind.

And there's the other point I made earlier, which is that the Metropolitan Toronto area continues to really lag on job creation. So we have to appreciate that this will be a small drop of what's going to be required to get our small business community rolling again. They face an enormous problem with trying to operate in an environment where our fiscal house is in such dire straits that we still have not seen job creation occur to a level where we're even close to back to where we were five years ago. The rest of Canada, as I said earlier, has seen job growth of roughly 230,000 more people working now than there were five years ago; Ontario, 100,000 fewer jobs.

We will be, as I said earlier, supportive of this bill. We'll put it in the proper context of what impact it will have and recognize that it is merely the first step towards really helping our small business community deal much more effectively and much more easily with governments at all levels.

**The Acting Speaker (Ms Margaret H. Harrington):** I thank the member for his contribution. Now we have time for questions or comments to the member.

**Mr Duignan:** I appreciate the comments of the member for Scarborough-Agincourt. As to his question with regard to the disclosure of information, as you know, the key element of this proposal is reduction of undue government process to development of a master business registry containing core information on each business, basically names, addresses etc, to be used for internal administrative purposes only. That's done by all partner agencies and government departments. This database is indeed quite separate from the public database system.

The proposal also is mindful of the Freedom of Information and Protection of Privacy Act, and the legislation includes rules governing the maintenance, control and use of information in the database and on the type of information to be shared by participating organizations. Business information is indeed already in the public information and, as the member is quite aware, any personal information will only be disclosed in accordance with the FOI act and ministry policies that are in place at the time.

**Mr James J. Bradley (St Catharines):** I would like to compliment my colleague from Scarborough on an excellent speech this afternoon, an excellent contribution, and do so before the member for Etobicoke West gets up, the member who has never known a television camera

with a red light on that he didn't like.

He is an individual, by the way, who managed to be on all the television programs last night, even on the CBC, which he considers to be left-wing. I wonder if he's moving to the left, with much of his constituency.

But back to the speech, because I was really impressed with his speech. I was concerned that he did not mention one thing in his speech, and that was a magnetic resonance imager for St Catharines or the Niagara region. I would think that would be coming to St Catharines, and he did not say that in his speech, but I know he thinks it should.

On the issue he was dealing with, and I should compliment him on that, he was really pointing out something which many people have pointed out over the years, particularly the last few years, and that is the need to make it easier for business to operate in the province of Ontario. Everybody else is doing this. It is not as though we are in a position where we can simply carry on as we have in the past, because other provinces, other states, other jurisdictions are making it easier for business to operate.

With the new technology available out there, a lot of things can be done much more quickly today. One of the complaints we all get as individuals representing the people in our community is a complaint about the number of forms that have to be filled out, the amount of paperwork that has to be done by people who are in a relatively small business and really can't afford to hire the financial people required to do that.

I compliment the member for Scarborough-Agincourt on yet another stellar performance in this house.

1720

**The Acting Speaker:** Seeing no further questions or comments, the member has two minutes to respond.

**Mr Phillips:** I'm not yet satisfied with the answer the parliamentary assistant gave in terms of the confidentiality. I'll perhaps talk to him privately later. As I said in my remarks, as I read the bill, in the interests of making it easier to register, of sharing information, of crossing over many pieces of legislation, there is at least the danger that we will see information that businesses would regard as private and confidential being accessible where it shouldn't be accessible. I go back to the point I made earlier of the several examples we've seen recently where private citizens' personal, confidential information was available. I appreciate that both the privacy commissioner and the Provincial Auditor are signalling to us the need to watch that.

I appreciate the comments of the member for St Catharines, who is one of the most experienced members in the Legislature and also one who is able to represent his whole constituency, including the small business community. I very much appreciate his comments on small business and the needs of small business. Certainly, the St Catharines area that he represents has benefited from his role both in government and in opposition, constantly reminding us that it is small business that will create the jobs, it is small business that has struggled in the last five years, and it is small business that I hope

will see us move from 100,000 fewer jobs in this province to some real job growth in the next few years.

**The Acting Speaker:** Further debate on Bill 187?

**Mr Stockwell:** First off, I'd just like to say in comment to the member from Scarborough's remarks, I was speaking to a person in the small business industry not long ago and his analogy was really interesting. He felt the government was still in a mainframe computer program when small business was in the laptop PC age, and they can't seem to mesh because they're so much more technologically advanced than the government itself. I thought it was an appropriate kind of—

**Mr Phillips:** I said that.

**Mr Stockwell:** Oh, I was talking to Gerry. Sorry. Anyway, I thought that was an appropriate analogy.

I would like to start by saying that we in this party are going to support this piece of legislation.

**Mr Bradley:** Are the cameras rolling?

**Mr Stockwell:** Yes, and I will comment later to the member for St Catharines on the CBC. I want to save that comment, because I know that if I do, the member for St Catharines will stay here.

I want to comment first that we will support this piece of legislation. There are little, if any, reservations we have with respect to the piece of legislation. I suppose what I would like to comment on is my disappointment with the thinness of the legislation, the little in-depth analogy and work that I thought would have come forward. Really, it's a rather painful response to a very large problem, in my opinion.

This committee was formed under the member for Norfolk, Mr Jamison, who I think ably represents in that caucus, as well as could possibly be represented, the small business sector. I don't think there's any doubt that they sometimes have a tough time hearing the voice of business, period, in that caucus. I don't think anyone would disagree with that, considering their views on the political spectrum. I think he ably went out with his parliamentary assistants, in good measure and in a fair-minded way, to survey the small business community in the province of Ontario.

Let's be clear about this. I don't think there's a party in power or in opposition, sitting in any Legislature or House in this country, that isn't making the same argument about business having too many forms to fill out and so on. But their answers seem to be very, very different. This government's answer to the concerns of small business and the amount of work they must entail to satisfy government's need to know is Bill 187.

Even the member for Norfolk, in his quieter moments and in a non-partisan way, would probably admit that this didn't go as far as he or his committee would have hoped it could have gone. This is a piece of legislation that encompasses eight pages—if you didn't have the translation, it would be four pages—of changes to the way small business needs to operate in this province.

I can't believe that after three years and half a dozen parliamentary assistants and a travelling committee around the province and probably, I think safely said, tens of thousands of dollars spent on the committee in



travelling and in costs of meetings and so on, the best we could come up with was a four-page report, calling it legislation, that's spearheading the reduction of workload for small business or business in general.

The other concern is that this piece of legislation says we will set up one-stop-shopping ventures across this province, and the key component or the linchpin or the foundation and building block this government's going to use to get itself re-elected and inroads made into the business community is, "We're going to take four of the most commonly filled out forms of the 43,167 that are on the books today, we're going to take four of those forms and amalgamate them and make it easier for you to complete those four forms."

It's hard to say I'm opposed to that. Anyone would be in favour of amalgamation of forms and a reduction of workload. But it's been years and thousands of dollars and hearings and parliamentary assistant committees and meetings with the boards of trade and so on around this province, and the best we get is a few workstations around this province that amalgamate four forms.

Another point they wanted to make—this is a selling point of this piece of legislation; this is Clearing the Path—is that small business will be able to use credit cards to pay for the cost of these forms. After the number of years, I don't think any newspaper's going to stop the presses and hold page one for that.

It's noble, I suppose, and it certainly is more convenient, but the concerns we've heard in this party and that I'm certain all of us in this place have heard go well beyond the amalgamation of four forms and a few local one-stop-shopping stores to satisfy government regulations. That seemed to be a far broader public issue than what these four pages are detailing before this Legislature today.

I listened intently when the minister got up and outlined her ministerial announcement with respect to the introduction of this. They gave it a nice name: Clearing the Path. They said it "reflects the government's commitment to cutting red tape for business," and they used a lot of nice phrases and a lot of nice words, but the tangible benefits? That's what we have to ask the government members, and maybe in their response they can respond.

To the members opposite, I don't want to know what you propose to do or what would be beneficial at some future date. I want to know what the small business sector can expect from this government in the very immediate future with respect to cutting the red tape and clearing the path. From what I can see, they don't expect any of these places to be operational at least until the new year. Potentially, knowing government's record, you're probably not going to see these things implemented until after the next provincial election. So what are we looking at in terms of the immediate benefit to small business with this legislation?

1730

I'd like to hear from the members opposite, but what I see is that you're not looking at anything, nothing that's going to make their lives in dealing with the government any easier than it was yesterday. They're going to be no

easier tomorrow, and probably none of this stuff is going to be implemented until after the next provincial election.

I think this probably has more to do with public relations—

**Mr Bradley:** You would know.

**Mr Stockwell:** Yes. I know I've shocked the member for St Catharines, but I think this piece of legislation has more to do with public relations and the general election that's coming up than it has to do with tangible, realistic and reasonable benefits that the small business sector can look forward to.

It is thin gruel. As I said before, I would ask any of the viewing audience today and those members opposite who haven't read it to take the time, take the 10 minutes it's going to take to read this piece of legislation and really determine in your own minds if they think this is the kind of thing that the small business sector has been calling for.

*Interjection.*

**Mr Stockwell:** This is another point. I heard the response from the Minister of—and she has a lot of titles. I don't want to get it wrong so I'll just refer to her riding, which is Beaches-Woodbine, I believe. I heard the response of the minister, who is the member for Beaches-Woodbine, to my comments with respect to regulations. Her comment is, "Well, this party doesn't believe in regulations, it doesn't believe in red tape and now we've written a very short bill," and we're calling for it to be larger and a little more comprehensive.

Well, we are. If you're going to write a piece of legislation that is going to cut the red tape and cut the cost of doing business in this province, if you're going to actually do something tangible and beneficial, I would like to see a 100-page, a 200-page piece of legislation. I'd like to see 400 pages of legislation if that piece of legislation is going to deregulate all kinds of processes small business has to go through just to operate in this province.

There are another couple of points. The small business sector has been talking about the form filling-out and the in-your-face kind of government it has had at all levels. But that's just one in a series of complaints that small business has levied on all governments, specifically I would say this one, but all governments in general. They are still talking about taxes. They still talk about the heavy, burdensome, awkward tax rate that they're asked to fulfil from this government.

There was some comment with respect to a rollback in the last budget. I think that rollback was something like 10% to 9.5%. It was so minor that it really didn't come into play.

The taxes are killing small business as much as red tape is, but not any taxes, not even a tax was commented on; you didn't even address one single tax relief measure in your Clearing the Path subcommittee of parliamentary assistants to certain ministers across the floor.

*Interjection.*

**Mr Stockwell:** Maybe you did, but none of them made the legislation in the four short pages we got to read. None of them made the legislation. Nobody gets a

tax break. They still have to pay all the same taxes tomorrow, when this bill gets adopted, that they had to pay yesterday.

**Mr Bradley:** I'm going to watch you on TV, because you're always on TV anyway.

**Mr Stockwell:** The member for St Catharines can't wait, and I was going to wait till the end, but I'm not going to talk about it now.

Those were some of the concerns they asked about. As much as they want to see you clear the red tape, they want to see you clear out some taxes as well. I was very disappointed that Mr Jamison and his subcommittee of parliamentary assistants didn't comment on that, because I can't believe, Mr Jamison, that you didn't hear all kinds of interesting stuff on taxes, all kinds of interesting ideas from people across this province. Nowhere in this legislation is that addressed—really disappointing.

Another thing they're talking about with the small business sector is minimum wage. The minimum wage is a killer in the small business sector, in the service industry particularly. The minimum wage under this government has been consistently raised, year after year after year, and the small business sector out there, and I know members opposite know this on that subcommittee, year after year has taken hits on the minimum wage increase.

The argument always is that you have to provide a decent living. But how in these recessionary times, how in these awkward economic circumstances that small business finds itself in—and I know the members in my party will tell you in the service sector, the tourism industry, these last four or five years under the socialists have been very tough years, and every year they're faced with another increase in minimum wage, and a goodly number of their employees work under the minimum wage plan. Nothing was even talked about by this parliamentary assistant's subcommittee to various ministers on clearing the path to red tape. That's not addressed in here, and small businesses have been talking about that since the day you got elected.

They also talked about other issues. They talked about the labour legislation. They talk about the employment equity program. They talk about all these other programs. You talk about small business being 10 people. I know small businesses that are 50, 60, 70 people large and they're in fact faced with meeting the requirements of some of these pieces of legislation that do nothing but cost them money, and that's very difficult. It's very difficult when you talk about the employment equity etc.

Another issue that small businesses have been asking for relief on is the payroll taxes. Now this parliamentary assistant and his parliamentary assistant cohorts—these are issues I can't believe you didn't hear about. I can't believe they didn't talk about the payroll taxes. Frankly, I can't believe they didn't talk about minimum wage and I can't believe they didn't talk about the WCB. But why I get the impression that this is nothing but a campaign bit of fluff is because none of those issues that people are talking about day after day to elected officials at all levels, nowhere in this four-page piece of legislation are they addressed.

As I said, I get the impression that this is made out for the next provincial election so this government can stand in its place and say: "Look, we understand the concerns of small business. We respect the problems within small business and we passed Bill 187."

Everybody in the audience could stand up and say, "Well, what does Bill 187 do, prospective candidate for the NDP?" The member of the NDP says, "Well, we amalgamated four forms out of 43,167." "Well, big deal." That's the kind of response you're going to get, but they're packaging it up.

They don't talk about Bill 187, an amalgamation of four forms. They don't talk about making it easier to pay your bill because we're going to take Visa or Mastercard now. They don't talk about that. Do you know what they talk about? They just talk about Clearing the Path. They just gave it a nice name. They had their deep thinkers in the back room saying: "Okay, we got a slim-picking, four-page piece of legislation on trying to help small business in this province which basically and fundamentally doesn't do a whole bunch for these people. We're going to have to give it a good name if we're going to be able to sell this."

One of them said, "I know what we should do. Let's call it Clearing the Path," and they all got excited and said, "Sure, that's a good idea." So when they talk about it, they talk about this piece of legislation. They don't even call it by the number. They say Clearing the Path. This is what the spin doctors in the NDP have decided: "We'll just say Clearing the Path, because if we say it often enough, somebody's going to believe it." So that to me is of great concern.

The other point I want to take exception to is the minister from Beaches-Woodbine and her comments. This is another fantasy that keeps erupting across the floor and this is another eruption that I take great displeasure in hearing. They consistently say that they have the lowest corporate tax rates or competitive corporate tax rates of the surrounding regions, and they say, "We have the numbers to prove it."

I'm fed up with hearing that stuff. I'm fed up with hearing that pulp. Prove it. Show me a study, comparatively speaking, between Ontario and New York or Michigan or Vermont or whatever, that says, including payroll taxes and corporate taxes, ours are competitive. I want to see that study. You've claimed this all along, but every time I ask for the study, it's never around. It's never there.

**Hon Ed Philip (Minister of Municipal Affairs):** It was sent over. You can't read it.

**Mr Stockwell:** There's Mr Ed. He's here and he's operational.

These are the questions that need to be asked. Where is this study? I looked to the Treasurer. I asked him. I've heard him say it. I now hear the minister from Beaches-Woodbine say it but I never get to see the study that says we have competitive, if not lower, corporate taxes and payroll taxes than the surrounding regions in the United States. I fundamentally don't believe it. I want the study, for the 15th time. If you don't have it and you're not



prepared to bring it forward, then I wish you'd stop saying that. I think that's a reasonable thing to request. If they don't have that study, I wish they'd stop saying that.

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I want to just touch on a couple of other issues briefly, and the auditor's report is certainly one of them I'd like to talk about today. I know what the Treasurer is trying to spin out today. His philosophy is that we are changing the way we construct our deficit, and I think there is some merit in what he has to say. It's a new auditor and he's demanding that certain rules and requirements be met when determining how much of a deficit we operate.

I'll say this: I am in firm and fundamental agreement with the auditor. I think the requests he's making are reasonable and I think the requests he's asking are accurate. I think they're more accurate than the way we used to do business and I'll tell you why.

I'm not saying that the party I belong to in the past was not to blame to some degree. We, in power, tended to operate where we would try and show the deficit in the best light. There were sometimes discrepancies between what the auditor wanted to see and what we reported due to certain auditing processes, but the most you would always come up with is maybe, at tops, a couple of hundred million dollars' discrepancy. It's a lot of money and I'm not suggesting it isn't, but at the end of the day a couple of hundred million dollars was not going to affect your credit rating one way or the other.

When the Liberals got elected, the Liberals—under Mr Nixon, the Treasurer, and Mr Peterson, the Premier—started really jumbling the books and they started taking advantage of the situation. I know the Treasurer today outlined—two numbers that I know he used today are accurate. The two numbers you talked about were the \$1 billion and the \$5 billion had they left office. I will make a quick point. The \$5 billion I think is somewhat unfair because of the costs that you applied to the deficit that year that I don't think were necessarily year-end costs of the deficit, but \$5 billion is going to be close enough to argue about.

I like the idea that the auditor is telling the Treasurer that we now have to come in with a deficit figure that is going to be \$2 billion higher. What I don't really like is that when they started the process to give us the budget deficit numbers, the Treasurer was told this was the case. I'm not saying the Treasurer would ever mislead this House; don't get that impression. But I remember standing in my place saying, "Mr Treasurer, in some way you've understated the deficit." I think to some degree I feel redeemed or proven right by the auditor coming out and saying, "Yes, the deficit is in fact \$2 billion higher."

How does this relate back to Bill 187? Bill 187 is supposed to be an act to help small business. When businesses come forward to government, they do so in a spirit of cooperation and honesty. Business wants to know the financial viability and stability of the provincial government and I think this government to some degree has knowingly understated the deficit in hopes of buying itself better publicity. I think it's incumbent on them in the future to report the deficit as accurately as they need to report it.

Do you know what the test is going to be? The test is going to come in March. I say to the Treasurer directly, the test is going to come in March, because in March or April when he reports out the final numbers for that year, we're going to have an election right around the corner and we're going to find out at that time whether this Treasurer truly believes in the new accounting methods offered up by the auditor or if he's going to start spinning the books again.

I will tell you quite frankly and I'll say this quite publicly and I won't get a lot of argument. I may get some catcalling, but certainly not any argument from fairminded individuals. This Treasurer's ability as a prognosticator is very, very bad. His ability to project the deficit year in and year out has not been a gold medal standard. Let me just put it that way. He has somehow miscalculated that on a few occasions.

I respect the auditor for bringing these recommendations forward and I look forward come April and come May, Mr Treasurer—when you report out this year's budget I'm really going to be interested in seeing what those numbers are. It's going to be the most important report you make because in a matter of 30 or 60 days we're going to be into a campaign and those numbers will be even more important. I have full faith in you that after four years and meetings with the auditor—endless meetings, I'm sure—that you have a full understanding of exactly what he's looking for when you report those numbers out.

**The Acting Speaker:** Can you relate this back to the bill, please.

**Mr Stockwell:** I just said small business when dealing with the government.

*Interjection.*

**Mr Stockwell:** Well, small business too. We can talk about the auditor's report and the drinking water in Ontario. That's the same kind of issue we're faced with here. We've a million people drinking bad water in this province.

**Hon Bud Wildman (Minister of Environment and Energy):** That's not true.

**Mr Stockwell:** Mr Wildman says it's not true. I remember the day I told him that Ontario Hydro was looking to buy into Costa Rica and he told me that wasn't true either. Apparently it was true. As I understand it, there are a million people who are drinking water that is not up to standards that we have set in this province.

**Hon Mr Wildman:** That's not true.

**Mr Stockwell:** The member said it's not true. I'll be interested in hearing what the—

**Hon Mr Wildman:** Plants not in compliance.

**Mr Stockwell:** Well, plants not in compliance.

**Mr Jamison:** On a point of order, Madam Speaker: I'm listening very carefully to the comments and I will have a terribly difficult time if I'm to abide by the rules of this House and stay on topic, because I'm finding that the present speaker has wandered completely off topic.

**The Acting Speaker:** I thank you for your comment.

I would ask the member to more directly address Bill 187.

**Mr Stockwell:** Madam Speaker, I will. It's tough, though, when you get this Legislature sitting and you've got four pages—

**Ms Sharon Murdock (Sudbury):** I thought it was eight.

**Mr Stockwell:** It's eight, but if you take out the translation, you're down to four pages of clearing the path for small business.

The member for Norfolk, with all due respect, I'm not really sure you should be asking people to maintain debate on your piece of legislation. As I said earlier, this is pretty thin gruel. When you spend years out across this province with your pals and parliamentary assistants to bring forward a piece of legislation that talks about amalgamating four forms at the taxpayers' expense of tens of thousands of dollars, and that's the best recommendation you can come up with, it seems to me that maybe the taxpayers in this province didn't get their money's worth out of the committee that the Premier struck to deal with the small business regulations they're faced with.

I say to the member for Norfolk, I was greatly disappointed with respect to this piece of legislation. We will support it. If you're going to amalgamate four forms, we'll support that. I'm not really sure you had to write a whole piece of legislation and bring it through the House to amalgamate four forms, for heaven's sake. You probably could have just ordered that to be done. It would have been a lot less time-consuming.

But we know why they wrote a piece of legislation four pages long to amalgamate four forms. Because they had that title sitting in the closet, Clearing the Path. They had to use it. A campaign's coming up. They've got a whole private sector business out there saying, "What are you doing for us?" They didn't have anything to offer up, so they've written eight pages, four untranslated, about clearing the path, where they're going to amalgamate four forms out of 43,167.

The last point: I took exception to the comments made by the member for Oxford, if he's here. He's not. The member for Oxford stands in his place, as well as others, including the minister from Beaches-Woodbine and others, and they are seeming to take great credit. Actually, they're probably going to break their ribs with the group hugs they're having over the improvement in the employment sector.

I am very pleased to see the employment sector doing well. I guess what I find a little unusual is that when we were losing all the jobs in the province of Ontario, every time someone on this side of the House asked somebody a question about how come we're losing jobs, they stood up and they said "Brian Mulroney," they said "free trade," they said "world recession," they said anything. "But it's not my fault, for heaven's sake. There are so many people out there working against me, they're costing us the jobs."

Very shortly, we have a minor blip and an improvement in the employment sector. I'm not arguing; it is an

improvement. I'm happy about it. But when we get a small improvement, the first thing the member for Oxford does and the first thing the member for Beaches-Woodbine does is jump up and take full credit for the increased employment in this province.

I see. They take no credit when somebody loses a job and they take all the credit when a job is created. It's a little bit hypocritical in my opinion. I would ask the government opposite that if you're not going to take any of the heat for the job losses, I think it's a little unseemly of you to take credit for job increases. You can't tell me you had nothing to do with the hundreds of thousands of losses but everything to do with the tens of thousands of increases that have taken place in the last couple of months.

I think that's only a reasonable response, because I remember very vividly, "Brian Mulroney, free trade, the dollar was too high or the dollar was too low, interest rates were too high, free trade was a huge problem, worldwide recession," blah, blah, blah, blah, blah.

They create half a dozen jobs and they're all over there giving each other group hugs. I think that's a little unfair.

Madam Speaker, I'd like to thank you for the time. I'll tell the member for Norfolk, regardless, I'll support your amalgamation of the four forms, I'll support the fact that you're going to pay some of these things on credit cards. But come on: Three years, parliamentary assistant meetings, travelling the province, Clearing the Path, cutting red tape, growing stuff, and all you can come up with is four pages. It's pretty thin gruel.

1750

**The Acting Speaker:** Questions or comments to the member?

**Mr Jamison:** That's an interesting speech delivered here today; we are always amused when the previous member gets up in the House and speaks.

There's something I have to clarify here. Certainly we can move forward on the amalgamation of some forms. The four in particular that he's mentioned we can do without legislation, and in our first phase that's exactly what we are doing, moving forward without legislation. Now we can go much further with this legislation. I'd like to clarify that in particular, because I can understand how there may have been a misunderstanding when the member would speed-read the bill.

Giving business the support it needs is what the Business Regulation Reform Act is all about; for an example, to create a single-window, one-step service that will integrate the registration and reporting requirements of potentially all three levels of government, municipal, provincial and federal. Just imagine for a moment being able to walk into one government office where a businessperson can electronically complete all the forms required by those levels of government. Just think of the advantages of being able to remit business taxes with a single payment.

The government is committed to doing all of this, and I can tell you that there have been other proposals put forward and accepted by the Minister of Finance regarding the reduction of taxes in this province for small



business, the employer health tax, for one: No employer health tax in the first year of a new hire is just an example, and reducing the tax rate from 10% to 9½% is another. There are many others that came from that committee.

**The Acting Speaker:** Further questions or comments? I'll first recognize the member for Brampton North.

**Mr McClelland:** If the current Finance minister, bless him, is sitting there contemplating reducing taxes, maybe there's an election in the offing.

**Mr Bill Murdoch (Grey-Owen Sound):** I just want to congratulate the last speaker from Etobicoke on his response to this bill, which is truly an election bill, as you can see; as he said, four pages of nothing. This government has taken at least 20 steps backwards to help small business. Now they think they can come ahead by taking one small step.

We congratulate you for trying, but if you're just trying to win an election on the back of small business, you'd better shake your head a little, because there's no small business that's ever going to support the government on that side. You could do whatever you want from now until election time and they're not going to come around and like you people at all. You've done nothing but crap all over small business since you've been in power. That's all you've done. You've given them more trouble than anyone. You've raised taxes, you've put us in a deep deficit that the small businesses have to—

**The Acting Speaker:** The member for Owen Sound, please rephrase your comments.

**Mr Murdoch:** This government has done nothing to help small business. As we've said before, they've taken 20 steps backwards, and this little step forward will do nothing to bring small businesses on their side. As the member pointed out, they've raised taxes, they've put more WCB costs upon them, they gave them a \$50 fee every year now to stay in business.

They've even taken some incorporation status away from businesses, just in the name of raising more money for their coffers to try to bail themselves out of all the trouble they've put us in.

As I say, they've come up with a bill that means absolutely nothing. If they think for one minute that small business will come around, they are certainly dreaming and they're in a world that no one else is in. They've proven this ever since they've been in government. I support what my member has said.

**Mr Duignan:** Listening to the member for Etobicoke West, I always enjoy a little bit of light entertainment late on a Tuesday evening. In my part of the world, where I was born and raised, he would be known as "long on wind and short on substance." Indeed, that's what his speech was all about: short on substance.

The member is well aware of the fact that the physical

size of a piece of legislation does not reflect its significance or its potential. This piece of legislation allows for amalgamation and reform under dozens of pieces of legislation. The member failed to mention that. The member also mentioned the fact there were some 43,167 forms to fill out. I don't know where the member gets this magical figure from, but I can tell you if they're there, with this piece of legislation we'll have them down to one piece of paper and one form.

**The Acting Speaker:** I thank the member. We have completed questions or comments. Now the member for Etobicoke West has two minutes to respond.

**Mr Stockwell:** I thank the people for their comments. To the member from Halton, if I had any idea of what you did, I'd probably come back and give you a response of some sort; I don't.

Where did I get the figure? I got the figure from a 1992 report that your government released on the number of forms it takes to operate the province of Ontario. I went and looked it up and gathered that information. That, I guess, is a little bit of substance. You can write that figure down and use it in the future if you like.

With respect to the comments made by the member for Norfolk, the difference of opinion I have with where you're coming from is that you're talking about amalgamating all the forms in the whole country and putting them together at these one-stop form fairs across the province. All businesses will go in, you're saying, and they'll remit one cheque. I know what the cheque is: "How much money did you make last month? Send it in." But you're telling me you're going to have all these form fairs.

There's a bit of a credibility gap here, because what you've come forward with is four forms out of 43,167—ask the member from Halton; he knows about that figure now—and you're going to put this together. You're not going to have this thing on stream at least until the new year and it probably won't be in place until after the election.

There are cynical people out there, there are cynical people in the population. They're saying: "Gee, they're going to amalgamate all the forms in the country at one-stop form fairs. Pay the cheque here." But we're going to start with four forms out of 43,167 and we're not going to implement it until after the next provincial election. They won't have anything in tangible evidence for small business. Some of those cynical sorts are saying, "Maybe these are just purely crass political attempts to buy my vote for the next election." Yes, that's what they're saying.

**The Acting Speaker:** As it is very close to 6 o'clock, this House will now stand adjourned until tomorrow, Wednesday, November 16, at 1:30 pm.

*The House adjourned at 1759.*

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Riverdale	<b>Churley, Hon/L'hon Marilyn</b> (ND) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	York East/-Est	Beer, Charles (L)
		York Mills	
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Noble (PC)	York-Mackenzie	
St Andrew-St Patrick	Vacant	York South-/Sud	<b>Rae, Hon/L'hon Bob</b> (ND) Premier, President of the Executive Council, Minister of Inter-governmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
St Catharines	Bradley, James J. (L)		Mammoliti, George (ND)
St Catharines-Brock	Haec, Christel (ND)		
St George-St David	Murphy, Tim (L)	Yorkview	

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 16 November 1994

# Journal des débats (Hansard)

Mercredi 16 novembre 1994

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers



*50th anniversary*

**1944–1994**

*50<sup>e</sup> anniversaire*



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 16 November 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 16 novembre 1994

*The House met at 1331.*

*Prayers.*

## MEMBERS' STATEMENTS

### SERVICES EN FRANÇAIS

**M. Bernard Grandmaître (Ottawa-Est) :** Il fut un temps où l'Assemblée législative de l'Ontario était beaucoup plus active et faisait mieux son travail, qui consiste à examiner des mesures destinées à faire avancer les choses en Ontario.

Le 18 novembre 1986, par exemple, l'Ontario dans son ensemble a fait un pas de géant. En effet, il y a huit ans, l'Assemblée législative adoptait à l'unanimité la Loi sur les services en français. Cette loi avait et a toujours une importance énorme pour la communauté francophone. Plus que n'importe quelle autre mesure prise à leur endroit, la Loi sur les services en français signifie clairement que les francophones de l'Ontario ont leur place et leurs droits dans cette province. La Loi sur les services en français est entrée en vigueur il y a cinq ans, après une période de trois ans de dur travail pour la mettre en application dans tous les ministères.

Aujourd'hui, je n'entends parler que des reculs que connaît la mise en application de la Loi 8. Les francophones me disent qu'il y a eu trop peu de progrès et beaucoup trop de reculs. Ils savent qu'ils ont subi beaucoup plus que leur part de coupures durant la récession.

La Loi sur les services en français a été conçue par un groupe de gens qui voulaient contribuer à bâtir notre pays et qui rêvaient d'un Ontario meilleur pour tous. Je demande encore une fois au Président et au ministre des Affaires francophones de s'intéresser à ceux qu'ils doivent représenter.

### LONG-TERM-CARE REFORM

**Mr Leo Jordan (Lanark-Renfrew):** While my colleagues and I remain supportive of the principle of enhanced access to community-based health services, we still have a great deal of difficulty with several aspects of Bill 173.

Restricting the amount of services that can be provided by agencies outside of the new multiservice agencies to just 20%, and the creation of multiservice agencies, does more to enrich NDP ideology than to improve the quality and accessibility of community-based health services.

Bill 173 will result in a decline in volunteerism and signals the end of charitable, community-based agencies. Associations such as the VON, the Red Cross, Meals on Wheels, the Catholic Health Association and Saint Elizabeth Visiting Nurses' Association will be put out of business by a faceless, bureaucratic and government-directed multiservice agency.

You have recently tabled labour amendments giving priority to unionized workers. Your constant refusal to

respond to the concerns raised by service providers and consumers alike leads us to conclude that there is an ulterior motive lurking behind the mask of long-term-care reform. Bill 173 is not about taking into account what seniors want. It's not about improving access or coordinating service. It's about one-stop unionization.

### KITTLING RIDGE ESTATE WINERY

**Mr Ron Hansen (Lincoln):** I rise to pay tribute to the winner of this year's Grimsby Chamber of Commerce outstanding business achievement award to Kittling Ridge Estate Winery wines and spirits.

Since going into business three years ago, Kittling Ridge has gained a strong foothold in the highly competitive wine and spirits market—not an easy task, but president John Hall and his 40 employees have risen to the challenge and now they're reaping the rewards of success. Kittling Ridge recently won awards in London, New York and Brussels for its tasty ice wine and brandy product.

I'm proud to say that the NDP government was there when Kittling Ridge needed help. Last spring, Mr Hall told me that the Ontario distillers were getting a bad deal from the government. He said the government was stopping them from operating onsite retail outlets. These onsite outlets, he said, would help distillers survive.

The NDP government acted quickly. Last June, we amended the Liquor Control Act with Bill 113 and onsite retail outlets became a reality in July. That has saved the jobs. In the past 10 years, 17 distillers have closed down in Canada. Seven distillers and 1,500 jobs were lost in Ontario. But Bill 113 helped reverse this disturbing trend. Just ask the 40 people who work at Kittling Ridge wines and spirits.

Since opening its onsite retail store last July, Kittling Ridge has enjoyed increased sales and exposure. More business for Kittling Ridge means more business for the community of Grimsby.

Congratulations to the fine people at Kittling Ridge wines and spirits for a job well done. I sincerely believe they are worthy of their outstanding business award.

### PLANT CLOSURE

**Mr Bruce Crozier (Essex South):** In Cambridge yesterday, we saw another example of the results of four years of poor NDP economic mismanagement. Whirlpool announced that it will be closing its Inglis clothes dryer manufacturing plant at the end of 1996, eliminating 600 jobs in Cambridge.

In 1993, Whirlpool said it could save the plant by making the plant a world-class facility. Now Whirlpool has decided to throw in the towel. Why? Ralph Hawke, Whirlpool's executive vice-president said, "We simply couldn't get there." The overhead costs were too high for



the Cambridge plant when compared to Whirlpool's facility in Ohio. The Minister of Economic Development and Trade has a different answer. She blames free trade. She says if Canada had not signed the free trade deal five years ago, Whirlpool would be keeping its Cambridge plant open today.

In my 25 years in private business, I know why plants open and close: It's costs. If they're too high, you can't make a decent profit. The minister should be looking at the high cost of workers' compensation in Ontario, the increasing tax burden on business and individuals in this province and the soaring deficit, which the Provincial Auditor says will be in excess of \$10 billion.

It is these increasing costs and the continuing climate of economic uncertainty that ruined Whirlpool's chances in Ontario, not free trade. We need a plan for getting costs down for business and keeping jobs in this province, not more rhetoric.

1340

#### SNOWMOBILING

**Mr Bill Murdoch (Grey-Owen Sound):** I stand today on behalf of snowmobilers across the province who wait patiently in anticipation of a snowy 1995 season.

Last year the government gave money to northern Ontario for the purpose of enhancing its snowmobile trail systems and promoting area tourism. Since tourism and recreation are vital to the economy of our province, this was certainly an admirable move. However, unfortunately, and most certainly due to an oversight that will be rectified in the future, the remainder of Ontario's snowmobile trail systems and tourist associations were overlooked.

To prove why we in southern Ontario should not be overlooked, I am pleased to say that the Grey-Bruce snowmobile clubs have been awarded Snowfest '95. The three-day event will take place in February and will provide an opportunity for visitors to enjoy the scenic beauty of Grey and Bruce. Local businesses will enjoy a boom of sorts as a wave of snowmobilers descends on the area. Last year, over 8,000 headed for Sudbury.

The Grey-Bruce clubs expect even more participants this year. However, using a conservative estimate of 6,000, the association would generate over \$200,000 in direct revenue from registration fees, not to mention the countless spinoff effects to area businesses.

Snowmobiling represents the greatest untapped winter tourism opportunity available to our local economies. It needs to be recognized that this activity is not exclusive to the north, but rather includes southern Ontario as well. With the help of volunteers, Snowfest '95 will generate thousands of dollars for Grey-Bruce and neighbouring counties.

We look forward to a successful winter season and in the future, if help is on the way, would appreciate not being overlooked.

JIM ASHTON

**Mr David Winninger (London South):** I rise today in commemoration of the passing of Jim Ashton, one of London's most high-profile trade union leaders, a dedicated unionist who died recently in his sleep at age 47.

His death came just a week after he was named a national representative in the Canadian Auto Workers regional office in London, and he had just started his fourth term as president of the London and District Labour Council, which he had headed since 1988. He had also completed nine years as president of the 4,000-strong CAW Local 27 in London, one of the largest locals of the union.

He is survived by his wife, Lucy; three daughters, Amanda, Jessica and Tonja; and his parents, Evelyn and Lynn. Archie Bailie, the financial secretary of Local 27, described Jim Ashton as a "dedicated father and good family man." He also had a lighter side, because he played drums in a rock and roll band and also enjoyed baseball.

I attended a very moving memorial service for Jim Ashton and I know he will be missed greatly. He leaves behind a gaping hole in the trade union movement, but fortunately the torch he lit will be carried by others in solidarity in the future.

#### LEADER OF THE THIRD PARTY

**Mr Steven W. Mahoney (Mississauga West):** I would like to congratulate the former member for Markham, Don Cousens, on his mayoral victory the other night. I am sure the people of Markham will be well served.

I followed the Markham race with great interest and last weekend I was somewhat shocked to learn that Mr Cousens said that he was a victim of "American-style politics." You know, for a long time I wondered why Don Cousens would leave the warmth of this place, but now I think I know. He, like many of us around here, was concerned that his leader, Mike Harris, was going to Americanize Ontario politics.

After all, Mr Harris has hired Oliver North's spin doctor, a man more famous for smearing his opponents rather than fighting on the real issues of crime and jobs. Mike Harris's Republican American spin doctor is famous in political circles for divisive, nasty, dirty campaigns.

But Mike Harris's American-style politics don't stop there. The Common Sense Revolution is a plagiarized version of the Republican Contract with America. Newt Gingrich, the big Republican mover and shaker, wanted to start a Republican revolution in the States that sounds just like the revolution Mike Harris has been trying to start in Ontario.

Coincidence? I don't think so. The entire Conservative strategy has Republican American fingerprints all over it. Even the press gallery thinks Mike Harris is turning into an American. It's my guess Don Cousens thought so too and he bailed out just in time.

#### CANCER TREATMENT

**Mrs Elizabeth Witmer (Waterloo North):** Tomorrow morning at 11:30 the Alliance for Breast Cancer Survivors will be holding a news conference calling on the Minister of Health to take immediate action to ensure that women have access to the new drug Taxol.

I would like to indicate to the minister that I strongly support their call for action. I am extremely concerned

that the Ministry of Health has abandoned its responsibility to show leadership on this issue and has left it to hospitals to decide for themselves how and if this innovative drug will be made available to breast cancer patients.

The minister will know that treatment with Taxol is currently available free of charge through the eight regional cancer centres but not through local hospitals. This is a particularly disturbing aspect of this issue. One of the fundamental principles of our health care system is that patients should be able to receive treatment in their own communities. By failing to develop a coherent policy on Taxol, the government has denied women the ability to obtain this drug through their own hospitals and has forced them to travel to other communities to receive treatment in strange surroundings, often at a time when they are already suffering stress.

This is an issue which affects us all. The fact is that one in four people will be touched by breast cancer during their lifetime, either by developing this disease or through the death of a loved one. I urge the Minister of Health to heed the call of the Alliance for Breast Cancer Survivors and ensure that all women have access to this drug in their own communities.

#### TRANSPORTATION CONTRACT

**Mr Gary Wilson (Kingston and The Islands):** "Bombardier won the big one, a \$560-million mass transit contract that will bring enough work to the Kingston area to employ roughly 300 people for four years."

This is how the Whig-Standard began its account of the announcement of Bombardier's Kingston UTDC plant's success in the highly competitive mass rail transportation equipment industry. It is a success that demonstrates strong partnership for economic renewal involving government, industry and labour in this province. Our government's commitment is clear.

In May, Premier Rae led an Ontario trade delegation, including representatives of Bombardier, to the Asia-Pacific region to expand Ontario's established business base in the fast-growth economies of Malaysia, China and Hong Kong. Attorney General Marion Boyd followed up the Bombardier proposal with the Malaysian government and transit officials while attending a conference in the area last month.

Our confidence in UTDC is long-standing. When Lavalin, the previous owner, went broke in 1991, we negotiated a new arrangement for UTDC with Bombardier, a deal which has created new jobs and investment not only in Kingston, but \$41 million invested by Bombardier in Thunder Bay, with an increase of over 200 jobs. This is in stark contrast to the Liberal government's approach, which ended up costing the Ontario taxpayers over \$400 million.

I think this \$560-million contract puts UTDC's financial troubles in the past. Also, I think it shows that eastern Ontario is a good place to do business and that our plan to create jobs, protect services and live within our means has helped to create conditions that business finds attractive. The jobs that follow will benefit all Ontarians.

#### VISITORS

**Mr Gordon Mills (Durham East):** On a point of order, Mr Speaker: Could I beg the indulgence of the House for about 30 seconds to recognize the Provincial Council of Women of Ontario, who are in the members' gallery. They've been meeting in the Legislature for the last two days on their agenda of important issues to that council.

**The Speaker (Hon David Warner):** The member for Durham East does not have a point of order, but none the less the guests are most welcome to be here in the chamber.

I would invite all members to join me in welcoming to our chamber this afternoon, and seated in the members' gallery west, a former member who represented the riding of Lanark, Mr Doug Wiseman. Welcome.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### PREMIER'S VISIT TO CHINA AND HONG KONG VISITE DU PREMIER MINISTRE EN CHINE ET À HONG KONG

**Hon Bob Rae (Premier and Minister of Intergovernmental Affairs):** I want to report to the House on my recent trade mission to China and Hong Kong with the Prime Minister and the first ministers of eight other provinces and two territories.

I want all members of this House to appreciate that this was by far the largest and most ambitious trade mission ever undertaken by Canadians and it was by any measure an unprecedented success.

The overriding priority of our government is quite simply jobs for Ontarians, and to me that was the fundamental importance to Ontario of last week's Team Canada mission.

To meet our goal of providing jobs, we had three objectives: first, to establish clearly that Canada could work together as a partnership between business and government and between different levels of government on a mission of this kind; second, we wanted to make clear to Asian governments that Canada takes its role seriously as a member of the Asian-Pacific community and wants to expand greatly its economic presence in this part of the world where opportunities are growing so dramatically; third, we wanted to do whatever we could to encourage the Canadian business community to look to Asia for new markets and new investment opportunities.

#### 1350

I am proud to report that we achieved all three objectives. In China, the delegation met with the Premier, the President, the Vice-Premier and the Minister of Foreign Trade. As well, I had the opportunity to have private discussions with the Minister of Railways, the minister responsible for nuclear power and the minister responsible for aviation, as well as other senior officials in the transportation field. I also met with provincial representatives from our sister province of Jiangsu and with the governor of Liaoning province.

This trip represented unprecedented access to those at the highest decision-making levels, and it will result in



many, many thousands of jobs for Ontarians, even beyond those that have already been announced.

J'ai également assisté à un forum important avec le milieu des affaires du Canada, et j'ai participé à plusieurs rencontres avec des leaders du secteur privé. Les contrats qui ont été annoncés la semaine dernière en Chine, dans les domaines des transports, des télécommunications, de la haute technologie, des installations d'énergie et de l'énergie nucléaire, représentent le résultat non seulement de la mission commerciale la plus efficace dans l'histoire du Canada, mais également de la mission la plus efficace dans l'histoire récente de tout pays ayant des rapports avec la Chine.

If I can focus on Ontario aspects of the trip, businesses based in Ontario did extremely well on this trip. The contracts which were signed will mean many thousands of jobs in the province. The sale of two Candu reactors, for example, which are worth over \$3 billion, will see the majority of that work done in Ontario.

**Mr James J. Bradley (St Catharines):** Jenny, do you hear this? Candu.

**Hon Mr Rae:** Mr Speaker, if I could have the attention of the members opposite, I'd like to list the names of the Ontario-based firms, because many of them will be in their constituencies, and those with substantial investments in Ontario that successfully concluded agreements with the authorities in China during our stay, together with the estimated value of these contracts:

—Agra Industries Ltd, Mississauga: a \$35-million agreement to provide project management and technology transfer to the Three Gorges Development Corp.

—Atomic Energy of Canada Ltd: a \$3.5-billion deal for two Candu nuclear reactors.

—AKD International, Toronto: a \$140-million contract to develop a petroleum and gas pipeline mill in Shanghai.

—Advanced Material Resources Ltd: an \$8-million joint venture to produce industrial metals in Sichuan province, and a \$6-million contract to expand similar production in Jiangsu.

—Bennett and Wright International: a contract to manage the construction of a 40-storey real estate development in Tianjin, with more than \$60 million in Canadian construction materials eligible for tender; also, a contract to procure steel for a \$140-million building in Pudong, near Shanghai, that the company is designing and building.

—Bethune International Group, Toronto: a joint venture to build a telecommunications tower, worth \$135 million, in Chengdu.

—Canadian Agra Corp, in Kincardine: an agreement to sell \$47 million worth of technology and to help build a fuel ethanol plant worth up to \$110 million.

—Can-Alm International, Toronto: an agreement to build four power plants in China worth more than \$170 million.

—Casco Engineering, Toronto: joint venture agreements to build affordable modular homes. Canadian exports will be about \$15 million a year.

—Delorme Group Inc: a memorandum of understand-

ing to design, develop and build an industrial park in Chaozhou city.

—Innovative Board Technologies: a joint venture agreement to build and operate a \$30-million fibreboard plant in Shenyang.

—Inter-Canada Far East Trade Centre Inc: an agreement for six hockey games in 1995 between the Chinese and Canadian national hockey teams that will open a market for Canadian hockey products and equipment.

**Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs):** If they're back.

**Hon Mr Rae:** We're back.

—Manufacturers Life Insurance Co of Canada, which sold its first policy in Shanghai in 1893, has worked closely with the Chinese government for the past 10 years and has now opened its fourth office in China.

—Mitel Corp of Kanata: a joint venture agreement to distribute digital fibre optics-based technology.

—NASIA Group of Toronto: a letter of intent to upgrade a 40-kilometre section of the Beijing-Shenyang road to an express highway. This project is worth \$270 million.

—Nordion International from Kanata: a letter of intent for a joint venture to design, manufacture, market, supply, install and operate radiation processing systems.

—Northern Telecom from Mississauga: a contract to supply up to \$250 million worth of telecommunications equipment to Guangdong province.

—Pacific Entertainment Group Inc: a joint venture contract to build and operate indoor ice sports complexes in Chongqing and Shanghai worth \$25 million.

—RES International in Ottawa: an agreement for a joint venture to export Canadian computer software and related products and services to a projected value of \$100 million over five years.

—Spar Aerospace: a letter of intent to set up a joint venture providing satellite communications technology and services.

—Vickers and Benson Companies: a joint venture with Chinese television to co-produce 26 English-as-a-foreign-language TV programs.

—The Webb Zerafa Menkes Housden Partnership, Toronto: a contract to design a headquarters building for the People's Insurance Co of China in Shanghai, worth some \$74 million.

This list, as long as it is, is not the end of the story, because there are other contracts that are being negotiated as I speak today. As well, Bombardier UTDC successfully concluded its contract negotiations for a light rapid transit line in Kuala Lumpur, Malaysia, just last week. I spent several days in Kuala Lumpur, together with the chairman of Bombardier, last May and met with the Prime Minister, the Minister of Transport and the chairman of Renong Corp over a period of several days. We worked closely with the Canadian High Commissioner, John Bell, and his very capable staff and the local representatives of Bombardier and SNC Lavalin. We persisted and we won, and that means putting our tech-

nology on display in Asia, an investment of \$560 million in the province of Ontario, and 300 jobs for four years in Kingston, Ontario.

As well, two Ontario environmental service companies, Aer-O-Flo Environmental of Burlington and CMS Rotordisk of Concord, signed agreements worth about \$11 million during the trade mission of the Environment minister in September to provide municipal water and waste water treatment in China.

And opportunities to continue to flow. We learned yesterday that U.S.E. Hickson Products Ltd of Scarborough has signed a letter of intent to provide construction sealant and coating technology, valued at about \$2 million, in Nanjing.

In addition, Toyota, as the members will know, has announced a major expansion of its investment in Cambridge, which will mean an additional 1,200 long-term jobs after a \$600-million construction project which will start in the spring of 1995. This brings to a total of \$5 billion the investment by auto manufacturers in this province, the province of Ontario, since 1990. As everyone knows, an investment of this kind by a major Japanese corporation is made only after long discussion, both here and in Japan. I want to express my personal thanks to Mr Tim Armstrong, the former Deputy Minister of Industry and Trade, whose ongoing work in this area has proven invaluable to the people of Ontario.

Canada's trade in Asia and Asian investment in Canada are going to be key features of our growth as a province into the 21st century. Our high schools, colleges and universities are already engaged in extensive programs in Asian studies, and we shall continue to encourage the development and expansion of these approaches, in cooperation with the federal government. The recent announcement of several new Canadian education centres being established in a number of Asian capitals in cooperation with the Asia Pacific Foundation is a good example of this renewed emphasis on common marketing and promotion and the possibilities for expanded linkages with Asia.

The same will be true in health and other services. Key partnerships between the private and public sectors can produce more results and more opportunities for Ontarians. The interhealth initiative, our work in land registration and our skills in the natural resources field are only three examples where we can already identify enormous opportunities for export and development, and that means jobs, that means jobs, that means jobs for the people of Ontario.

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The federal government signed two major agreements with the government of China, both of which have major implications for Ontario. The first, on nuclear cooperation in peaceful fields, will obviously be important for Ontario Hydro, where our work with AECL will continue to be close and productive. The second, on the work of CIDA, is equally significant. There will be a number of projects in the fields of development education, women's rights, and the development of legal institutions, where Ontario's colleges and universities will naturally be heavily involved.

Those of us who want to see a more open China and a more democratic Asia can only see these agreements as positive and constructive developments. We will succeed not by isolating China but by engaging in a broad-based and open dialogue on all questions. Our experience in Canada has been that economic rights, democracy and pluralism all go together. We present these values in everything we do and in all our interactions with Asian societies and governments.

In summary, I hope that beyond the catcalls from the other side, the members of this House, in a positive spirit, might recognize the importance to all of us of last week's trade mission. It has resulted in many thousands of jobs for Ontario and it will lead to many thousands more, and that reflects the fundamental commitment of this government.

On a personal note, I would just add a couple of comments. One is to say that it was for me—and I know there'll be lots of catcalls on all sides, but I want to say this in all seriousness—a very rewarding experience to work closely with the other premiers, with business leaders, as well as with the Prime Minister of Canada. I thought the Prime Minister represented the country with distinction and he did us all great credit. I also know he's going to be equally positive about our contribution to the mission.

I might also say to members who have a sense of the history of this place that it was a source of great pleasure for me personally that two other very distinguished former members of this House were active members of the delegation.

The former Premier, Mr Davis, who is now the chairman of the Ontario International Trade Corp, was a very active member of the delegation and made a very, very positive and constructive contribution. My colleague Mr McClellan was also on the trip, and many members with a sense of history will remember that he was for many years the member for Dovercourt. Finally, the chairman of Atomic Energy of Canada Ltd is of course the former leader of the opposition, the former Deputy Premier and Treasurer in this House and member of the government from 1985 to 1990, Mr Robert Nixon. Those of us who have known and worked with Bob will recognize that his energy, his determination and his sense of mission helped very much to resolve some of the tricky issues that had to be resolved during the negotiations with respect to the Candu reactors.

I can say that working with former Premier Davis and former Deputy Premier Nixon, Team Ontario was a very significant part of Team Canada. I was delighted to be part of that team and I know I'll be joined in that spirit by members opposite.

#### SECURITIES LEGISLATION

**Hon Floyd Laughren (Deputy Premier and Minister of Finance):** Later today I will be introducing the Securities Amendment Act, 1994. These reforms will provide the Ontario Securities Commission with the proper authority to protect investors and maintain confidence in Ontario's capital markets as a safe place to invest.



Traditionally, the Ontario Securities Commission has used policy statements to indicate the conduct expected of market participants and acceptable standards of market activity. However, recent judicial decisions in Ontario and British Columbia raised concerns about the use of policy statements by securities regulators.

To address these concerns, the government established the Ontario Task Force on Securities Regulation, chaired by University of Toronto law professor Ron Daniels. The task force consulted extensively with market participants and submitted its final report on June 30. The government has moved quickly to respond to its recommendations.

To preserve Ontario's high standards, the bill will give the OSC the power to make rules that would have the force of regulations in a large number of specific areas. This power will allow the OSC to respond quickly and effectively to changes in the marketplace.

Proposed rules will be subject to a 90-day public comment period, and the Minister of Finance will have the power to approve, disapprove or return the proposed rule to the OSC to be reconsidered.

In addition to these rule-making powers, the OSC will also be able to issue policy statements which would be guidelines and not have the force of law. Policy statements will also be subject to a period of public comment, in this case for 60 days.

The OSC will review all existing policy statements to determine which should be retained unchanged, redrafted but kept as a policy statement, or made into a rule.

To further enhance public participation in developing policy on securities, the bill requires that the chair of the OSC prepare an annual statement of priorities for the upcoming year and a status report on the previous year's initiatives. It also requires legislative review of the Securities Act every five years.

Ontario is the first jurisdiction in Canada to legislate rule-making powers for its securities commission. There are indications that other provinces will be following Ontario's lead. British Columbia recently announced that it intends to provide such powers to its securities commission next spring.

Ontario's high standards of regulation have been a key factor in attracting investment to companies that raise money in our capital markets. This investment supports growth and provides jobs to many thousands of people in this province.

In closing, I wish to thank Professor Daniels, the other members of the task force and the Ontario Securities Commission for their valuable work in this important sector of our economy. Professor Daniels is in the gallery visiting us this afternoon, and I want to publicly express my appreciation for the manner in which he carried out his task.

#### PREMIER'S VISIT TO CHINA AND HONG KONG

**Mr Gerry Phillips (Scarborough-Agincourt):** I want to join with the Premier in congratulating the Prime Minister of Canada on the success of the trade mission to the Pacific Rim. There is no doubt that it was a very

important trip and a clear statement of Canada's commitment to doing business in that part of the world.

We on this side were very pleased that the Premier was there. I think it was extremely important that the Premier of Ontario be there as part of Team Canada. I realize that the Premier initially was mildly reluctant to do that, but I think it was important that he be there and contribute to the success of the trip. We very much appreciated that.

It is particularly important for Ontario that we develop trade in that part of the world. I think all of us understand that here in Ontario almost 90% of our exports go to the United States. That's up, I might say, from four years ago when it was around 85%. It's around 90%, as the Premier knows, and our trade with the Pacific Rim has actually been declining.

I would say we're pleased to be doing that sort of business with the US, but to use your hockey analogy, Mr Premier, we can't have just one trade superstar on the team. We need to develop other trade superstars, and certainly the Far East, the Pacific Rim, is one of those potential trade superstars. The economy is growing there, as you know, at roughly 10%. Here in North America we're looking at 3% or 4% growth in the economy. That clearly has the potential to be another superstar in Ontario's trade portfolio.

I have no difficulty with the growth in the US trade; in fact, I encourage it. But when virtually 90% of all our exports go to one country, we are vulnerable: If that country suffers a recession, it really impacts our exports. So we very much support an aggressive development of trade, particularly in that growing Pacific Rim, and we will be very supportive of other measures that will help to ensure that.

I don't think we can underestimate the importance of the symbolism of the Team Canada trip. That made a very strong statement to that part of the world that Canada is open for business and wants to do business with that part of the world, and we're very supportive of that. We'll be very supportive of measures that ensure that our export industries have the proper finances and we will support measures that the government, I hope, is bringing forward.

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We also will be very supportive of the development of the skills necessary to develop our export business. I think we have a unique opportunity here in Ontario, I might say, for business in the Far East. Some of the strongest, most successful business people in that part of the world actually live here and have been educated here, Mr Speaker, as you know; they are an enormous asset to us.

I am pleased the trip was successful and I applaud the companies that are doing business there. We will continue to be supportive of measures that will help to build the business in that part of the world.

I think there was another message from that trip, and that was that the people of Canada are looking for cooperation between their levels of government. There is no doubt the people of Ontario and the people of Canada realized that the federal government and provincial

governments working cooperatively was important, and we support that. We also think that in the months ahead they will be looking for the same level of cooperation in dealing with our fiscal challenges; they will be looking for that same kind of Team Canada approach.

Finally, on a personal note to the Premier, I simply want to say a note of thanks to him for the special effort he made in assuring the safety of our Prime Minister. There was probably never a moment when the Premier was not right by his side throughout the trip, and at those most dangerous moments when the TV cameras came rushing forward, there was a crush, the lights went on and the Prime Minister was in the maximum danger, the Premier was right there beside him, often shielding him from the glare of those lights. On a personal note, because I think we all appreciate the importance of the safety of the Prime Minister, we appreciate that part of the Premier's trip as well.

#### SECURITIES LEGISLATION

**Mr Bruce Crozier (Essex South):** On behalf of Lyn McLeod and the Liberal caucus, I would like to applaud the effort to modernize such an important body as the Ontario Securities Commission, an organization that is vital to the efficient functioning of the capital markets in Ontario.

I understand that speedy passage is necessary for our capital markets to continue to function efficiently; however, I would like to reiterate that sufficient time should be allowed for concerns to be brought forward now that we have the actual legislation before us. It is our duty as legislators to ensure that such powers are granted with proper scrutiny.

#### PREMIER'S VISIT TO CHINA AND HONG KONG

**Mr Leo Jordan (Lanark-Renfrew):** I am completely—what should I say?—at a loss to understand where the Premier is coming from on nuclear energy.

On November 20, 1990, in his throne speech, the Premier said:

“We will place a moratorium on...nuclear power facilities. We will ask Ontario Hydro to divert planned expenditures for...nuclear development towards a more comprehensive energy conservation.”

I have been given information that political interference with Darlington by this government and the previous government cost the people of Ontario approximately \$6 billion.

Tell me, Premier, how could you possibly go abroad now and tell the people that the Candu reactor is the best in the world, “but I won't have it in Ontario”? That's really what you're saying: It's the best in the world, but we can't have it in Ontario.

This is the kind of flip-flop understanding of policy that's going out to industry and to the people. We have electric cars coming on the market, we have an electric train waiting to go from Windsor to Quebec City and we have generators waiting to be put in place under the Candu reactor. And where is the Premier? He's promoting it abroad. How about coming home and giving us a little selling job?

#### SECURITIES LEGISLATION

**Mr David Johnson (Don Mills):** I'll be responding with regard to the Securities Amendment Act. What has not been said by the Minister of Finance here today is that this bill is proposed to be pushed through the Legislature without debate or without hearings.

This issue first came up in October 1993. It was raised again in June of this year because of the Daniels report. We have had time to understand that there is a problem with regard to the Ontario Securities Commission.

The government has not allocated any time. The government has allocated 20 days of hearings for this session to deal with all the important issues that face the province of Ontario, of which this is certainly one. This issue affects jobs in Ontario, it affects the security of the capital markets in Ontario, it affects the economic wellbeing of Ontario, yet no time in this Legislature has been allocated for this particular issue. I guess it's easier to travel abroad, to get photo opportunities and to talk about jobs in that context than it is to deal with the issues right here in the province of Ontario.

I say, number one, where are the priorities of this government? Why did this government not allocate sufficient time for a thorough debate of the problems of the Ontario Securities Commission?

Number two, I say yes, let's proceed, because we need a securities commission and a capital market that have integrity, that have the confidence of the investors, that have stability and that have predictability. The investors need to be protected. The Ontario Securities Commission has lost the authority that it felt it had because of court ruling, so there do need to be changes. So let's proceed, but we should have been able to proceed in a proper fashion.

Number three, I say let's be fair. Certainly the Investment Dealers' Association is in support of this bill. I'm in support of proceeding with this bill and many people are in support of proceeding with this bill, but let's recognize the issues of the security dealers, the issues of the dealers who tend to deal with what's called the penny stocks. They have problems and they have a message. They've conveyed that message to me and they wish to convey that message to the ministry but they have not been given that opportunity. I think they should be given that opportunity in a limited time fashion in a hearing.

I would propose, and I'd ask the Treasurer to consider this, that we have a limited debate in a committee hearing to allow all parties, to allow the Investment Dealers' Association, to allow the securities dealers' association, to allow everybody to have a say, yet we can still get it back to the House to proceed with this issue.

#### ORAL QUESTIONS

##### WATER QUALITY

**Mr Sean G. Conway (Renfrew North):** My first question today is to the minister responsible for water, the Minister of Environment and Energy. I was interested this morning to hear the Provincial Auditor being interviewed on a local radio station in Toronto. Mr Peters, the Ontario auditor, said that while he'd have no hesitation about drinking the water in Toronto, there were a number



of places across Ontario where he would have some second thoughts.

Minister, the auditor's comment, together with the auditor's report, draws attention yet again to the fact that in recent months you and your ministry have had a report, a 1992 report, which indicated that of the 490 water treatment plants in the province of Ontario, 120 of those water treatment plants had, upon inspection, serious problems, and many of those could not or were not meeting Ministry of Environment guidelines.

Will the minister today table in this House the list of those 120 water treatment plants which according to that 1992 report done by and for his ministry did not or were not meeting ministry standards?

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** In answer to my friend across the way who was listening to the radio this morning, I would indicate that he quoted rather selectively from a very significant interview. I would just point out that when asked by Mr Maychak, the interviewer, how he responded to the comment that I had made that water was safe in Ontario, the auditor responded by saying, "Well, I think he's right."

He also said in his interview this morning: "The ministry responded immediately. They have created a new proactive inspection unit in each district that will be responsible for plant inspections, along with other facilities. Inspection frequency will be based on risk assessment factors rather than a routine cycle so that the plant with historic problems will be inspected more frequently. Improved reporting and abatement follow-up is an important element of this new approach to inspection, and that's what they are doing right now."

We took the auditor's report very seriously and we have indeed responded immediately and are inspecting to ensure—

**The Speaker (Hon David Warner):** Could the minister conclude his response, please.

**Hon Mr Wildman:** —that water in this province remains safe and clean for the residents of Ontario.

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**Mr Conway:** For the record, and quoting directly from the transcript of CBC Radio's morning show with Matt Maychak:

"*Maychak:* If I offered you," meaning Erik Peters, "a tall, cool glass of water right about now, would you even think twice about it?"

"*Peters:* Not in Toronto.

"*Maychak:* But if you were out of town?"

"*Peters:* There are some locations where I would have second thoughts about it."

The transcript is very clear. I come back—

*Interjections.*

**The Speaker:** Order.

**Mr Conway:** The report tabled by the auditor yesterday makes plain that you have a 1992 report that says clearly that of the 490 water treatment plants in Ontario, fully 120 were not up to standard; 113 of those plants, 23% of that total, are operated by you yourself in the

ministry or through your clean water agency.

My question on behalf of the people of Ontario and particularly the nearly one million people who are served by those plants: Will you today table the list of 120 plants which were not meeting the standard in 1992?

**Hon Mr Wildman:** In response to the preamble, again referring to the interview this morning, it's interesting that the member does not quote this portion of the interview, where Mr Maychak asked Mr Peters if he was satisfied with the ministry's response. He said, "Are you satisfied that's enough?" Mr Peters: "Well, yes, I think I can't ask for more at this point."

*Interjection.*

**The Speaker:** The member for Halton Centre is out of order.

**Hon Mr Wildman:** Mr Peters said the report by the ministry indicated that 120 of the plants that we are operating, of the 490, had not done necessary testing, but then he goes on to say that the ministry immediately agreed that it will have to give priority additions to the drinking water surveillance program, which is in operation in Toronto, to the plants not meeting sampling guidelines. We have done that.

I'm quite pleased, in response to the question, to table today the summary of problems identified by the Provincial Auditor on the 23 municipal water supplies that he surveyed. He found when he surveyed them that eight were in compliance and 15 were not, and it shows that all of them are in compliance now, except for two with very minor problems, and that there is no problem with the water quality in any of them. I am pleased to table that here today.

**Mr Conway:** The auditor's report makes plain that the minister has a report from 1992. Well, I want to say to this government that Ruth Grier said for years we had to have a safe water bill, that Bob Rae said we had to have an Environmental Bill of Rights. We have now a government report that says there are a million Ontarians who may very well be getting poor quality from water treatment plants.

I want from the minister—

*Interjections.*

**The Speaker:** Order.

**Mr Conway:** Go back to China.

I want from you a commitment today that you will table today the list of the 120 water treatment plants that were identified in that 1992 report as failing to meet Ontario Ministry of the Environment water quality standards.

**Hon Mr Wildman:** That wasn't really a question, but I will respond. I will be happy tomorrow to table the list of the 120 with analyses of the current status of each. That is currently being prepared by the ministry and will be tabled tomorrow.

I would really caution the member, however, against playing politics with the concerns of the people for clean water in the province.

*Interjections.*

**The Speaker:** Minister.

**Hon Mr Wildman:** I think it's important for all members and members of the public to recognize that the auditor's report itself, and the auditor himself, did not say that water was unsafe. He said that there were a number of plants that were not in compliance. Since that report has been done, we have taken those recommendations very seriously, we've responded and he has said we have responded.

For those who are concerned because of questions that have been raised, I would just point out that Peter Elson, the executive director of the Ontario Public Health Association, has said that there is no reason now for the public to be concerned about the quality of their drinking water, but if they are concerned, the information is available through their municipality. That speaks for itself. There is no reason to be concerned. We have responded. We take very seriously the auditor's report and we are doing everything possible to respond to the questions raised in the House.

**The Speaker:** New question.

**Mr Conway:** I guess if Bob Rae can sell nuclear reactors in China and join General Pinochet in buying a Peruvian utility, Bud Wildman can make the statement he made about other people engaging in scare tactics, knowing what some of us know.

**The Speaker:** Could the member place his second question, please.

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## JOBS ONTARIO

**Mr Sean G. Conway (Renfrew North):** My second question is to the Minister of Education and Training. Two weeks ago, my colleague Mr Murphy, the member for St George-St David in Toronto, raised concerns about a consultant who was acting as a middleman in obtaining Jobs Ontario training funds for a Toronto company.

Minister, will you today confirm that the situation to which Mr Murphy directed our attention some days ago is now under investigation by the Metropolitan Toronto fraud squad?

**Hon David S. Cooke (Minister of Education and Training):** I can confirm that after the member gave us the information, which would have been helpful if he had given it to us the first day, the matter was referred for investigation. Of course, that's the appropriate way of dealing with it when someone releases information and makes an accusation.

**Mr Conway:** So the answer is yes, that the matter Mr Murphy raised some days ago is now under investigation by the Metropolitan Toronto fraud squad.

My supplementary question is that since Mr Murphy raised the case that has been mentioned, what have you done to ascertain how widespread is the problem that has arisen in the case Mr Murphy has raised?

**Hon Mr Cooke:** The example that was given was then followed up immediately when the information came from Mr Murphy's office. I must say that was after a press conference where there was information that was refused to be released by the member: no information, all just accusations; a question in the House where there was no information, just an accusation.

Finally, the member's staff called the ministry to say that they were concerned enough, even if the MPP wasn't, to pass on the information so it could be looked into. As soon as that information was passed on it was referred to the police.

**The Speaker (Hon David Warner):** Point of privilege.

**Mr Tim Murphy (St George-St David):** He can't say that kind of lie in this House.

*Interjections.*

**The Speaker:** Order. To the member for St George-St David, first he does not have a point of privilege, but also he will know that he has used unparliamentary language and I would ask him to withdraw the remark.

**Mr Murphy:** I will not withdraw the remark.

**The Speaker:** To the honourable member for St George-St David—

*Interjections.*

**The Speaker:** Order. I ask the House to come to order. I will deal with this serious matter after the House has come to order.

The honourable member, whom I know has great respect for Parliament, has now an opportunity to withdraw the unparliamentary language he used.

**Mr Murphy:** Mr Speaker, it is because of my respect for Parliament that I cannot let the lie that the member told stand.

*Interjections.*

**The Speaker:** Order. The member will know that it is not up to the Chair to determine the veracity of statements made in the House, but rather to ensure that parliamentary language is used at all times. I'm sure that the member, in a calmer moment, would wish to withdraw the remark he unfortunately made.

**Mr Murphy:** I have too much respect for the truth to fudge what I believe and what is the case, that this member made an accusation that is a lie.

**The Speaker:** Well, I'm afraid that the honourable member leaves the Speaker with no alternative but to name him. Mr Murphy, you are named. You must remove yourself from the chamber and from the committees of this House for the balance of this sitting day, and I would ask that you voluntarily remove yourself from the chamber now. Sergeant.

*Mr Murphy left the chamber.*

**The Speaker:** Final supplementary.

**Mr Conway:** I think the matter stands for itself and I have no interest in pursuing it further.

## SOCIAL ASSISTANCE REFORM

**Mr Michael D. Harris (Nipissing):** My question is to the Premier, on social assistance. Today, Premier, we will be debating a motion which outlines our comprehensive welfare reform proposals. These proposals include workfare and learnfare, setting Ontario benefit levels to 10% above the average of the other provinces, a centrally computerized benefit payment system and \$400 million in new Headstart programs for children and for the most vulnerable.



Premier, given that you yourself said last year, "The system as it is now isn't working. It isn't doing well enough," given those quotes from you personally, what I would like to know is, can we expect your personal support when we debate this resolution later today?

**Hon Bob Rae (Premier and Minister of Intergovernmental Affairs):** No.

**Mr Harris:** I appreciate the definitiveness of the answer. I'm disappointed, of course, given the fact that 10 million Ontarians know the system is broken and not working, including the Premier, and yet you are not prepared to do anything about it.

On February 10, 1993, here is what you said, Premier: "It makes little sense for us to be simply transferring moneys to people so they can sit at home." Premier, you know that you and I don't see eye to eye on a lot of issues, but on this one, on this quote and on this statement, you and I agree. The current welfare system is not working for the very people it's supposed to help. That is why we want to break the cycle of dependency by tying welfare benefits directly to training and to education.

**Mr Paul Klopp (Huron):** Is she coming today? Where is that woman?

**The Speaker (Hon David Warner):** Order, the member for Huron.

**Mr Harris:** Premier, given your comments last year that it makes little sense to transfer money to people so they can sit at home, can I assume, since you're not supporting the whole package we've put forward, that you at least support our workfare and our learnfare proposals to give welfare recipients greater opportunities to re-enter the workforce?

**Hon Mr Rae:** I would say directly to the honourable member that when you look at what has happened in this area over the last 30 years, the problem is that the whole approach to people who are unemployed—the federal government was supposed to have responsibility for unemployment insurance.

Since the recessions which began in the 1970s, the number of people who are employable and who are very trainable and who are now on social assistance has grown. It's grown for a number of reasons. We can discuss that. I'm sure that will be discussed in the course of the debate this afternoon, which I look forward to watching.

But I would say to the honourable member that I take exception to a couple of features of what he is proposing. First of all, I take exception to his approach of a draconian reduction in the level of benefit that is paid to families that are in need of social assistance. You are taking money out of the hands of children. You are taking food out of the mouths of children. That will be the impact, the necessary impact, of the reductions which you are imposing on the system.

You're shaking your head. You don't like to follow the consequences of your ludicrous so-called Common Sense Revolution. It's a document which was written somewhere south of the Mason-Dixon line. It's got nothing to do with conditions in the province of Ontario and it's

going to end up creating more poverty rather than solving the problem.

**The Speaker:** Could the Premier conclude his reply, please.

**Hon Mr Rae:** We've got Jobs Ontario Training, we've got Jobs Ontario programs which are intended to get people back to work and to get people into training programs. That is the approach we're taking. We prefer to take a positive and constructive approach rather than the kind of punitive approach which I'm sorry to say I associate with the reform party opposite.

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**Mr Harris:** The Premier is wrong. Our approach will in fact provide more help for children and the most vulnerable. Our proposals are designed to do just that. Secondly, I'm disappointed the Premier plans to watch the debate instead of participate in the debate. I think it's an important debate. Clearly, at least he and I agree the current system is broken, it's not working and it needs major change. I was hoping that this afternoon could be a productive debate on the kinds of changes we need to make.

By way of final supplementary, clearly what I have heard as I've travelled this province is that our welfare offices today are seen as cheque-processing offices, not employment offices, not opportunity offices, not counselling offices, not offices of hope. They are cheque-processing offices. Premier, would you agree with me that we need to change that attitude, that we need to change this system from a numbers-driven, dehumanizing and wasteful bureaucracy to one that offers hope, that offers opportunity, that offers assistance at the same time as it offers people a hand up to find a job or the training they need for the job?

The system today, because of this attitude, abuses the very people it is supposed to help. They have told us this, the users of the system, the demoralized, those who have lost hope.

Last month, Premier, your minister dismissed our proposals—

**The Speaker:** Could the member please place a question.

**Mr Harris:** —and he told us the status quo was working.

**Hon Mr Rae:** No, he didn't.

**Mr Harris:** Well, he did, Premier. What I would like to ask you is, do you agree with your minister, who says the status quo is working, or do you stand by your original statements that it's broken, that it's not working, that it needs fixing? And if you do, will you participate in the debate today and help us in a non-partisan way to come up with constructive solutions to fix a system that's not working today?

**Hon Mr Rae:** I would say quite seriously to the member opposite that I recall my colleague Elie Martel describing the system of welfare under the Tory government as being a pay wicket system, and I think that's the problem with the old system of welfare, which we are committed to changing.

We have to do it in cooperation with the federal government because of the unprecedented attack on transfer payments with respect to welfare that has been launched by the Tory party and continued by the Liberal Party. So we need to take an approach—and I would say in all seriousness to the honourable member that there are some things all of us in the House can agree on. We all agree we need a more active system. That's why we have Jobs Ontario Training. We all agree that we need to get people back into the workforce. That's why we have 60,000 positions that have been created by the private sector in response to the Jobs Ontario Training program, a saving of \$200 million to the social assistance bill.

Where I part company with the leader of the third party, and I part company quite profoundly, is in his approach to the reduction of benefit levels to a point that is simply going to drive a lot of people into poverty, a lot of people deeper into poverty. When you've got 40% of the people on social assistance who are children, you can't make the kinds of changes in benefit levels that you're talking about and not have a very negative impact on kids. You can't do it. It can't be done. We've looked at it. We've obviously looked at a comprehensive approach. I will say to the—

**The Speaker:** Could the Premier conclude his reply, please.

**Hon Mr Rae:** —honourable member that we will continue, under the very able leadership of the Minister of Community and Social Services, to provide leadership in this area, that we will continue to make changes in this area and that we will continue to work with all parties, including even, I would say, the Conservative Party if it is prepared to come forward with positive and constructive ideas. I look forward to seeing what they are.

**The Speaker:** Could the Premier please conclude his reply.

**Hon Mr Rae:** The problem is that there's too much punishment and too little hope in the approach that's being offered by the members of the Conservative Party.

**The Speaker:** New question.

**Mr Harris:** Let's be very clear: The loss of hope is in the status quo. The hope, the opportunity, is in major change and we are proposing major changes.

**The Speaker:** Could the member place a new question, please.

#### JOBS ONTARIO TRAINING

**Mr Michael D. Harris (Nipissing):** My second question as well is to the Premier. The Premier talked about his Bob's Ontario program. Premier, I'd like to ask you specifically about the program that you just talked about as one of the answers to welfare reform. I would like to ask you to tell us the purpose of the training component of your Jobs Ontario program. What are the training dollars of Jobs Ontario Training? What are they offered to businesses to do?

**Hon Bob Rae (Premier and Minister of Intergovernmental Affairs):** I'm going to refer that to the minister.

**Hon David S. Cooke (Minister of Education and Training):** I think it's quite clear, and if the leader of the third party talked to some of the employers who are

involved in the program or came out to the jobs fairs, they would make it very clear to him that the money that is used under the Jobs Ontario Training program—there is upfront cost when a job is created to train an employee, to have the employee familiar with the operations of that company, and obviously if there's any technology that the individual needs to be trained on and so forth. As well, there are dollars under the Jobs Ontario Training program for the training of existing employees.

So it's to offset those costs and to make sure that those costs aren't getting in the way of creating jobs in this province. It's to help individuals and it's to help the private sector create those jobs.

**Mr Harris:** I have a copy of an ad from the November 2 edition of the Huron Expositor. It's a weekly newspaper in Huron county.

This ad outlines four different positions under the Jobs Ontario Training banner, for which you've just given us the purpose. However, to be eligible for these positions, the applicants must be fully trained. Job number 1: class A mechanic, "Must have class A licence." Job number 2: machinist, must have your certificate. Job number 3: architectural draughtsperson, "Must have manual drafting experience," must already have "knowledge of AutoCAD." Job number 4: millwright, "Must have ticket."

What we have are four jobs that are advertised under Jobs Ontario Training. Each one of these jobs requires the applicant to be fully trained or they're not eligible to apply for this job. Can you explain to me why Jobs Ontario is advertising jobs the classified way for those who must already be fully trained before they can apply for the job? Why is that?

**Hon Mr Cooke:** That is just a very superficial understanding of what's going on in the economy right now. The fact of the matter is that before you can even qualify to get into the Jobs Ontario Training program, you've either got to be an unemployment insurance exhaustee or on social assistance.

In this last recession, there have been thousands of Ontario citizens who did have training, but they went on welfare because they lost their jobs with the huge changes that have taken place in our economy. To get those people back into the workforce, sure, they've got that basic training, but they need additional training in order—

**Mr Harris:** No.

**Hon Mr Cooke:** Well, go into the workplace. Go and—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Hon Mr Cooke:** Just last week during the constituency break, I spent a couple of hours in a tool and die shop in my riding and the owner was making the case to me that we can't just expect our graduates from either our college programs or our apprenticeship programs to move into his operation and not get additional training. For the technology that they need to use in his company, there needs to be additional training on the job and the Jobs Ontario Training program helps do that, helps offset those costs, allows him to create jobs. So the leader of



the third party simply doesn't know what he's talking about.

1450

**Mr Harris:** Clearly, what we have is a straight ad that the Canada Employment office made before; it's not a new job. Somebody is saying, "I need a class A mechanic." Jobs Ontario is coming along and saying, "Hey, how would you like to get an extra 10 grand and a fully trained class A mechanic?" There is absolutely no explanation for this ad other than to hand out \$10,000 to anybody who applies this way instead of going to Canada Manpower, not one reason. No one is being trained for these jobs; they already must be trained or they're not eligible. The job opening exists already; they've already notified that.

What these ads amount to are very expensive taxpayer-funded Help Wanted ads. Clearly, it's another example that your Bob's Ontario Training is nothing more than a pre-election ploy: You want to get another statistic to add to your 60,000. That's all it is.

I would ask you this: Instead of this waste of the ads, of the bureaucracy, of the 25% cost, of the 10 grand the businesses don't need, why don't you take that money, reduce the bureaucracy, cut the size of government, cut taxes, and have a truly meaningful job creation program in this province.

**Hon Mr Cooke:** Mr Speaker, I don't know what position the Tories are taking today. I know what position they used to take in New Directions: A Blueprint for Economic Renewal and Prosperity in Ontario. Our program, Jobs Ontario Training, links government assistance to training. The Tory position has been titled, "Wage Subsidies to Employers Hiring Social Assistance Recipients."

Thousands of Ontarians now on social assistance are able to work, yet employers cannot afford to hire them. By linking social assistance directly to employment, as recommended in the SARC report, Queen's Park could effectively create a multibillion-dollar pool of money, topped up by employers, to put people back to work.

Our program, Jobs Ontario Training, is not a wage subsidy, it's not simply money given to the private sector. It's not just a wage subsidy, as the Tories promote. It's training for work. It answers the question the Tories always ask: "Training for what?" Training for jobs under the Jobs Ontario Training program. That's welfare reform.

#### INTERPROVINCIAL TRADE

**Mr Sean G. Conway (Renfrew North):** My question is to the minister of economic development and interprovincial trade, Ms Lankin. Minister, in the past few days, I've been approached, along with my other colleagues from eastern Ontario, by a number of construction workers and construction businesses in and about eastern Ontario and the national capital area. All of these people are quite concerned about an advertisement which has recently appeared in certain media in eastern Ontario and western Quebec.

The ad to which I make reference—and I'll send a copy across to the minister—is a proposal call for the

new \$110-million Loto-Québec casino to be built in Hull, which of course is part of the national capital area. Minister, you'll see from the ad—which is seulement en français, I'm sorry to say, but it does make plain that only Quebec-based companies can apparently bid on that particular project.

**Hon Bob Rae (Premier and Minister of Intergovernmental Affairs):** You can't do that.

**Mr Conway:** The Premier says that can't happen. Well, it's in the ad.

My question to Minister Lankin is, are you aware of this situation and can you tell this House and, more importantly, all the men and women in eastern Ontario who might like to vie for a job on this project whether or not, to the best of your knowledge, this ad conforms with and complies with the interprovincial trade agreement which was signed last year by you, on behalf of the Ontario government, with the Johnson government in Quebec?

**Hon Frances Lankin (Minister of Economic Development and Trade):** I appreciate the member drawing this to the attention of the House. Yes, I was aware of it and I have looked into it. As you can see, the proposal call is issued by Loto-Québec, which is the crown corporation responsible in this case for the proposal for the construction of this casino enterprise.

You may remember that in both the bilateral negotiations and in the multilateral negotiations that all the provinces were signatories to, Ontario pushed very hard to try and have all crown corporations included in the provisions of the agreement. There were a number of provinces which rejected that approach. If you remember, we at one point were even criticized for looking for reciprocal non-discrimination.

At the end of the day, and I've said this on many occasions, we signed an agreement which was a major step forward, but there was still more work to do. Crown corporations were not covered. All government ministries and direct enterprises are. There is a provision in the agreement for further negotiations over the course of next year to bring in crown corporations. We are very hopeful that we will achieve the coverage of crown corporations, but at this point in time they are not a covered entity, so in fact it is not in contradiction with the agreement. I don't think they should be doing this, I don't think it's in the spirit of where we want to be headed in this country, but their government is not violating the agreement.

I may also indicate at this point in time that because Quebec wouldn't list its crown corporations, we therefore did not list ours. Our casino corporation and like corporations are not listed either. I'm very hopeful that continued negotiations over the next year will bring these entities under the agreement, not just in Quebec and Ontario but in all provinces in the country.

**Mr Conway:** I appreciate the minister's full answer. The people I represent and other people across the eastern part of the province will be disappointed to hear that this exemption therefore justifies this particular proposal call.

Many of my colleagues, myself included, have been hearing in recent days from some of these very people

who are concerned about this project that the new Parizeau government in Quebec may be planning to retreat from the interprovincial agreement that was signed between Ontario and Quebec just this past spring.

Because economic growth and job creation are obviously of enormous importance everywhere, most of all in eastern Ontario and western Quebec where we have some of the highest unemployment rates in the country, have you had any discussions with your new Quebec counterpart, Minister, as to the attitude of the new Parizeau government?

I know that Premier Rae and Premier Parizeau are meeting next Tuesday. I'm sure our Premier is going to be raising with Mr Parizeau the first order of importance of maintaining and hopefully improving that interprovincial agreement. But have you had any indication that the Parizeau government is planning to cancel its Bill 142 and pull back or pull away from this very important and positive interprovincial trade agreement signed this past year?

**Hon Ms Lankin:** I think that's an important question. At this point in time, I have not had any indication that the province of Quebec is intending to back away from the agreement that was signed. The most recent post-election statements that have been made indicate their interest in a common market approach in this country, and that would be consistent with maintaining support for the agreement that's been signed. But I have to say to you that I have had no direct indication. At an officials' level, work continues and is proceeding with respect to setting up the ongoing negotiations.

You're quite correct that Premier Rae will be meeting with Premier Parizeau next week. This is an item that we have placed on the agenda for discussion and that we will be raising, to offer our thoughts and hopes that this agreement will continue to be honoured, that we will have an opportunity to enhance the agreement through the course of the further negotiations that are set out, and that in the future we will be able to bring on crown corporations such as Loto-Québec and the Ontario Casino Corp to ensure that we are really opening the markets for free movement of goods, services and labour between our two provinces and across the country.

1500

#### USE OF COURIER SERVICES

**Mr Michael D. Harris (Nipissing):** I have a question for the Premier, I think a pretty straightforward question that doesn't require any briefing books. If someone from a government office on Bloor Street wanted to get a two-page press release from their office to a Queen's Park office, would you (a) suggest that they take a few seconds and fax the release at no cost to the taxpayer or (b) recommend that they pick up the phone, hire a courier, address and seal the envelope and have it delivered by hand at a cost of \$2.50?

**Hon Bob Rae (Premier and Minister of Intergovernmental Affairs):** I don't have any idea to what the member is referring, since I don't have the notes and the briefing book which clearly the member has in front of him. I can only say that in the normal course of events,

one would expect that the transmission of documents would be done in the most efficient and most cost-effective way possible.

**Mr Harris:** Right, but this is government, and the normal, most efficient, effective way doesn't seem to apply. Increasingly, all across the province—I don't know how many times, as I've travelled the province during the breaks, of which we have more than we sit these days, I hear people say: "Why do they courier? Why send this routine stuff by Purolator special-delivery courier?"

Last Thursday the Ministry of Culture, Tourism and Recreation couriered a press release from its offices at 77 Bloor Street to our Queen's Park offices, I assume room 130. Ironically, it was on a project in Fort Erie. It came to the office of the member for Parry Sound about Jobs Ontario—you know how they waste money. I don't know how many thousands of these went out, perhaps to tourism-related industries.

The courier company said delivering each envelope a few blocks down the street would cost \$2.50. Faxing within local calling costs nothing—no cost to the taxpayer. In fact, it's probably a little cheaper. Last year, according to the blue book, your government spent \$30 million on courier costs alone. Can you identify any of those items that had to go out by courier, any of this \$30 million? Can you explain to us why there seems to be no controls in place, no policy, why everybody in government seems to have unlimited access to courier for anything they want? Can you explain that?

**Hon Mr Rae:** The member opposite is obviously going to wax eloquent from one particular example. I'm sure there are ways in which we can all learn from the kinds of experiences which are being described, but if the member were being fair, I think he would recognize that the operating costs, for example, in this government have decreased dramatically since 1990. Since you asked a detailed question on courier service, I can say that last year we saved \$2 million, government-wide, from reduced courier usage.

**Mr Harris:** No, you didn't, you wasted \$2 million.

**Hon Mr Rae:** No, I'm sorry, these are the numbers that are here. They come from the Chair of Management Board, and he is the source of much wisdom and indeed often truth in these areas.

I say to the honourable member, since you have raised this question, I am going to look forward to releasing tomorrow information which will compare how much we have spent in terms of the operating costs of government compared to what was spent in the last years of the Peterson government and how, in per capita terms and in terms of the way in which we've managed government, in fact we've kept those costs coming down dramatically in comparison to what they were there and in comparison to what they were when you were the Minister of Natural Resources in the well-known Miller government.

#### PROPERTY ASSESSMENT

**Mr Robert Frankford (Scarborough East):** I have a question for the Treasurer dealing with concerns of small business people who are Metro mall tenants about their property tax assessments.



Last year Toronto newspapers reported that an assessment board review decision shifted \$14 million in taxes from anchor tenants on to smaller retailers. Subsequent reports said that the anchor tenants would forgo some of their tax break for 1994 in order to protect smaller tenants while stakeholders discussed the long-term solution. With the date fast approaching for the delivery of 1995 assessment notices, mall tenants are worried about their taxes. Can you tell us if the stakeholders have arrived at a compromise that addresses this issue?

**Hon Floyd Laughren (Deputy Premier and Minister of Finance):** I appreciate the question from the member because I've had a number of calls and inquiries about this matter myself.

The member is quite correct. The Assessment Review Board made a decision that transferred a lot of the taxes to what are known as the small tenants as opposed to the anchor tenants in the shopping malls in Metropolitan Toronto. In the spring, a voluntary agreement was reached between the anchor tenants and the smaller tenants in which they agreed that for the balance of this year a compromise would be worked out, and indeed it was worked out. However, that voluntary agreement is to expire at the end of this calendar year, and indeed it will.

Since then, the ministry has worked extremely hard in a facilitating and conciliatory way to bring the two sides together and to try to work out a way in which a more permanent solution could be found. I am happy to tell the member that this indeed has happened. It looks as though there is an agreement between the anchor tenants and the smaller tenants in which roughly \$8 million will be absorbed by the anchor tenants to keep the smaller tenants from having to absorb the very substantial tax increases that would have resulted from the Assessment Review Board decision.

**Mr Frankford:** Thank you, Minister. I know your response will be welcome to many hardworking small business people in Scarborough and across Metro. How soon will I be able to tell constituents that their tax rates will be assured?

**Hon Mr Laughren:** I should have included that in my first answer, actually. It looks as though we may have to introduce legislation to accomplish this. I had hoped we could do it without legislation, but our legal folks tell us we're going to need legislation.

I have had conversations with the opposition critics, who have been most understanding in this regard, and there are still negotiations to go on among the House leaders and so forth. I don't want to be presumptuous in taking anything for granted from the opposition critics, because they've got their job to do as well, but my hope is that we'll be able to introduce legislation here in this session and get it through the Legislature before we adjourn for the break.

#### WORKPLACE HEALTH AND SAFETY

**Mr Steven W. Mahoney (Mississauga West):** My question is to the Minister of Labour. I have been informed that tomorrow morning, at 10 o'clock, the media studio here at Queen's Park has been booked by the two vice-chairs or CEOs—whatever it is they've

declared themselves to be—of the Workplace Health and Safety Agency, where they'll be having a press conference to celebrate their vision of health and safety training in the province. I understand they are about to unilaterally declare the agency and their programs a great success.

At the same time as that is happening, the management caucus of the agency's small business advisory committee will be denouncing the agency, the two vice-chairs, the policies and the so-called training programs for small business, particularly for firms with high levels of part-time or seasonal employees or firms with staff where there's a high turnover.

The former Minister of Labour asked the agency to develop a modified training program for that sector. That was last May. The agency to date has not complied with the minister's request. There are no training programs, yet the agency-imposed deadline for training of January 1, 1995, is fast approaching.

Minister, will you call in your two vice-chairs today and instruct them to cancel this self-congratulatory press conference tomorrow morning and to work with the small business advisory committee to develop and deliver health and safety training to that sector?

**Hon Shirley Coppen (Minister of Labour):** I thank the member very much for the question. No, I will not ask the two members to cancel the media conference, because I think it's very important that the public of Ontario know how important health and safety training is in this province. As I said two weeks ago, over 15,000 people have been trained, with over 8,000 graduates. This is very important.

When we are talking about workers' compensation, one of the serious problems we have is injuries in the workplace. When I was just the member for Niagara South, it used to sadden me when I heard or read in the newspaper about people being killed and injured on the job. But now, as Minister of Labour, those reports come to my desk immediately and the seriousness really hits home. We've got to have people trained. It's got to be done in the workplace. So I want them to do this press conference to inform people how successful the agency has been.

1510

On your second concern, that there hasn't been set up a modified program, my understanding is that the two leaders of this agency were working with the small business community to set it up and that there would be—

**Mr Mahoney:** They're right here.

**Hon Mrs Coppen:** No, this was my understanding, and that there would be some negotiations to delay—

**The Speaker (Hon David Warner):** Would the minister conclude her reply, please.

**Hon Mrs Coppen:** —the startup date of it, and I would be prepared, as minister, to work for that.

**Mr Mahoney:** Let me try to correct the understanding the minister says she has. The members of the management caucus of the small business advisory committee of the Workplace Health and Safety Agency are in the gallery today.

They have issued a release wherein the chair of this committee, Mr Paul Oliver, says, "There are thousands of workplaces in sectors like hospitality and retailing that need certification training that meets their circumstances and unique characteristics."

He goes on to say: "We have put forward detailed recommendations for an alternative delivery method. The unwillingness of the representatives of organized labour to agree to this makes it impossible for these firms to get on with the job and," most important, Minister, "puts employees at risk."

Minister, your understanding is obviously wrong. You've been misinformed. There is no agreement on the sector-specific training in the hospitality sector, in the retail sector, in the restaurant sector, in the tourism sector.

**The Speaker:** Could the member place a question, please.

**Mr Mahoney:** They are asking you to live up to the request of the former Minister of Labour, and my question is to ask you to intervene in this matter and do one of two things—in fact, you've got to do two things.

One is, instruct the two CEOs to sit down with these people and negotiate a training program and, second, extend the deadline for this training past January 1, 1995. That is a very short time away and even if the programs were designed today—

**The Speaker:** Would the member conclude his question, please.

**Mr Mahoney:** —they could not be implemented. Minister, this issue needs you to intervene and solve this problem. Will you do that?

**Hon Mrs Coppen:** To the member for Mississauga West, I am just as concerned as you about the safety of people working in the hospitality industry, in tourism. Remember, I've just come from the Ministry of Culture, Tourism and Recreation and have talked to all kinds of business people involved in that sector.

Of course I care about their programs, and I'm also saying to the guests here in the gallery that my understanding, the information I have been given, is that there are negotiations to change that date so that we can work in cooperation with the industry. I am prepared to work with that industry if they will please contact me.

**The Speaker:** New question, the member for Waterloo North.

**Mrs Elizabeth Witmer (Waterloo North):** My question is also for the Minister of Labour. Madam Minister, it's obvious that bipartism does not work, and you now know why. In only 44 days the deadline for registration for certification training runs out and there has still been no resolution of the major issues affecting small business.

This has occurred because the agency has refused to listen to the proposals and the recommendations that have come from the business representatives on the small business advisory committee. They have wasted almost a year and a half, and these people at the agency have simply not listened.

Given this fact, Madam Minister, will you commit to intervene to put in place a modified program for the workplaces in the hospitality and retail sectors? Will you intervene?

**Hon Mrs Coppen:** To the member, no, I will not intervene, but I will take your comments under advisement and find out more about the problem that you've brought to the House. Again, I am repeating, my understanding is that there is flexibility in changing the startup date for the certification. I've been told that since I've come to the ministry two weeks ago.

You and I both know the importance of health and safety training for all people, especially the small business community. We as a government appreciate what small business is doing for this province and we also appreciate that no one wants to put their health and their life at risk when they go into a workplace, whether it be a major industry or a small business. Of course, I will take that under advisement. No, I will not interfere, but I will consult.

**Mrs Witmer:** Madam Minister, your refusal to intervene will put at risk the safety of employees in this province. Given the fact that certification training is not working, given the fact that 75% of the businesses in this province have not yet registered for the reasons that I stated before, will you commit to delay the January 1, 1995, deadline for registration until what date?

**Hon Mrs Coppen:** I disagree with the member's written text of the problem. I care about the problem. I have told her repeatedly that there are negotiations on the startup date. I do care about health and safety and she knows that.

#### MINISTRY OF HEALTH SPENDING

**Hon Ruth Grier (Minister of Health):** I have a response to a question previously asked by the member for Nipissing. The member, on November 1, indicated in one of his excoriations of extravagance on the part of this government that a number of forms that had been sent to physicians in this province were a waste and had cost us \$300,000.

In fact, what we did when we reviewed the way that physicians ordered laboratory tests was find that a number of tests were routinely checked off whether or not they were required for the health of the patient. So, working with the Ontario Medical Association and with the Ontario Association of Medical Laboratories, we revised the form so that two specific tests now had to be specifically asked for, not just part of a checklist. We then issued one box of 500 new forms to every physician, because the vast majority of physicians order lab tests.

In the two months that physicians have been using the new forms, we have saved \$100,000 a month on unnecessary lab tests. For the benefit of the leader of the third party, that is \$1.2 million in savings a year from just one of those tests. From a business point of view, our investment of \$50,000 in sending out the forms netted us \$1.2 million. We think that's good management.

**Mr Michael D. Harris (Nipissing):** Hogwash, absolute hogwash. The fact that fewer tests are being ordered has nothing to do with the forms. I would like to



ask you this: You're telling me that the doctors can't read the forms enough, that having a new form is going to cause them to order fewer tests than the old forms. Hogwash, an insult to the intelligence of the medical profession, absolute nonsense. It's like Bob's Ontario: Somebody hires somebody, you run around, give them 10 grand and take credit. Hogwash—not even related.

You said the forms had to change because nobody could read physicians' handwriting. That's what you said when I raised the question before. Do you stand by that or are you prepared to retract that, which is also an insult to the doctors of this province?

**Hon Mrs Grier:** Part of his question was, why did we imprint the name of the physician on the form? I responded, because you sometimes can't read doctors' handwriting.

But the point is, laboratory costs were increasing at 15% a year under his government, under that government. Our government, in cooperation with the OMA, has reviewed the situation, managed the situation and saved a million dollars in the health care system.

1520

## MOTIONS

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** Mr Speaker, I move that, notwithstanding standing order 96(h), the requirement for notice be waived with respect to ballot items 71 and 72.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

## PETITIONS

### FIREARMS SAFETY

**Mr Frank Miclash (Kenora):** I have a petition to the Legislative Assembly of Ontario which reads:

"Whereas we, the undersigned, object to the minister of the Solicitor General's decision on the firearms acquisition certificate course and examination;

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years; and

"Whereas we believe that we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

That's signed by many constituents from my constituency in the areas of Kenora, Sioux Lookout, Keewatin and Dryden, and I too attach my name to that petition.

### VIDEO GAMES

**Mrs Elizabeth Witmer (Waterloo North):** I have 48 petitions here with over 5,000 signatures on them. They have come from the Catholic Women's League of Canada

chapters in support of Bill 135. They come from such places as Barrys Bay, Bolton, Bramalea, Brechin, Brentwood, Cumberland, Delhi, Mississauga, Nepean, Orillia, Oshawa, Ottawa, Perth, Petawawa, Whitby, Vanier, and Toronto, Agincourt, Scarborough and Etobicoke. The petitions read as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Theatres Act was amended in 1984 with the intention of keeping certain viewing materials away from children and advances in technology have occurred to such an extent that the concern for children covered by this legislation is negated as it does not cover electronically produced images that are part of video and computer games; and

"Whereas there has been a disturbing increase in the proliferation of violent and sexually explicit video games; and

"Whereas the government of Ontario should be making every effort to regulate the distribution of adult video games and ensure that games designed for adults are clearly marked as such; and

"Whereas Bill 135, the Theatres Amendment Act, 1993, a private member's bill introduced by Waterloo North MPP Elizabeth Witmer, would amend the definition of 'film' so that the electronically produced images that are part of video and computer games come within the purview of the act, particularly the classification system;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That Bill 135 be passed by the Legislative Assembly of Ontario as quickly as possible."

I hereto affix my signature.

### SICKLE CELL ANAEMIA

**Mr Robert Frankford (Scarborough East):** I have a petition and I'd like to acknowledge the contribution of the Sick Cell Association of Ontario in coordinating this. It's to the Legislative Assembly of Ontario:

"Whereas sickle cell anaemia is a serious medical condition with 10% of the population of African origin carrying the gene, and studies show that the identification of homozygotes in the newborn period permits the institution of comprehensive medical follow-up, demonstrated to prevent morbidity and mortality in these patients;

"We, the undersigned, call upon the ministries of Health and of Community and Social Services to support a program of newborn screening for sickle cell disease in Ontario hospitals."

I'm pleased to add my signature to this.

### LONG-TERM-CARE REFORM

**Mr James J. Bradley (St Catharines):** I have a petition to the Legislative Assembly of Ontario which reads as follows:

"Whereas Bill 173, the long-term-care reform bill, if allowed to pass without necessary and appropriate amendments, will result in a lower level of service to consumers in the province; and

"Whereas the enactment of this legislation in its

present form will increase the cost of the provision of care to the elderly and those in medical need; and

"Whereas the passage of Bill 173 will bring about a decrease in the number of volunteers available to organizations now directly involved in providing service in the field of long-term care; and

"Whereas local communities will lose control and influence over the delivery of long-term-care services, even though they are best able to determine local needs;

"Be it therefore resolved that the government of Ontario be requested to amend Bill 173 to comply with the recommendations of service organizations who at present deliver home care to people in communities across Ontario."

I affix my signature to this petition as I am in agreement with it.

#### EMPLOYMENT EQUITY

**Mr Ted Arnott (Wellington):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas any person applying for a job should be judged fairly on the merits of his or her qualifications, abilities and experience; and

"Whereas a person's colour, religion, race, gender or other such characteristics should not enter into the equation; and

"Whereas Bill 79 will establish a quota system of hiring based on race, colour, gender or other physical characteristics; and

"Whereas employers should be free to hire the most-qualified person for a given job;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the government withdraw Bill 79, the Employment Equity Act."

It's signed by a number of my constituents, and I support this petition as well.

#### MOTORCYCLE AND SNOWMOBILE INSURANCE

**Mr Larry O'Connor (Durham-York):** I have a petition here to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, are of the opinion that private insurance companies are exploiting Ontario motorcyclists and snowmobile operators by charging excessive rates for coverage or by outright refusing to provide coverage;

"Whereas we, the undersigned, understand that those insurance companies that do specialize in motorcycle insurance will only insure riders with four or more years of riding experience and are outright refusing to insure riders who drive certain models of 'supersport' bikes; and

"Whereas we, the undersigned, believe that this situation will cost hundreds of jobs at dealerships and in the motorcycle industry and is contrary to the rights of motorcyclists and snowmobile operators,

"We, the undersigned, petition the Legislative Assembly as follows:

"That the government of Ontario should study the feasibility of launching public motorcycle and snowmobile insurance."

I've read this and will support this. I affix my signature to it and send it down to the Clerk.

#### GASOLINE PRICES

**Mr Frank Miclash (Kenora):** I have a petition to the Legislative Assembly of Ontario and it reads:

"Whereas the difference in gasoline prices between northern and southern Ontario has long represented a serious inequity between the two regions; and

"Whereas the difference in gasoline prices between northern and southern Ontario is often between 10 and 20 cents a litre; and

"Whereas residents of most northern Ontario communities have no access to public transportation options and are therefore dependent on private automobiles; and

"Whereas 1990 NDP election promises to 'equalize' the price of gasoline across the province of Ontario have not been kept; and

"Whereas Kenora Liberal MPP Frank Miclash has called upon the NDP government to keep these 1990 election promises; and

"Whereas the elimination of motor vehicle registration fees for northern Ontario residents does not compensate for the excessively high price of gas in the north;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the NDP government of Ontario fulfil its election promises to the people of northern Ontario by equalizing the price of gas across the province."

That's signed by many constituents from the areas of Golden, Red Lake, Sioux Lookout, Kenora, Dryden, Vermilion Bay and Minnitaki, and I too attach my name to that petition.

**Mr Gilles Bisson (Cochrane South):** I have a petition here from the Liberal caucus of Ontario in regard to gas prices, and I would like to table that petition.

1530

#### LONG-TERM-CARE REFORM

**Mr James J. Bradley (St Catharines):** I have a petition from a different group of people in the Niagara Peninsula regarding Bill 173. The wording is somewhat the same:

"Whereas Bill 173, the long-term-care reform bill, if allowed to pass without necessary and appropriate amendments, will result in a lower level of service to consumers in the province; and

"Whereas the enactment of this legislation in its present form will increase the cost of the provision of care to the elderly and those in medical need; and

"Whereas the passage of Bill 173 will bring about a decrease in the number of volunteers available to organizations now directly involved in providing service in the field of long-term care; and

"Whereas local communities will lose control and influence over the delivery of long-term-care services even though they are best able to determine the local needs;

"Be it therefore resolved that the government of Ontario be requested to amend Bill 173 to comply with



the recommendations of service organizations who at present deliver home care to people in communities across Ontario."

I also affix my signature to this petition.

#### AIDS TREATMENT

**Mr Mike Cooper (Kitchener-Wilmot):** I have a petition from the AIDS Committee of Cambridge-Kitchener-Waterloo and Area.

"Whereas the high cost of drugs and other treatments remains the number one barrier people living with HIV/AIDS face in getting appropriate health care; and

"Whereas the urgent need for catastrophic drug programs for HIV/AIDS has been recognized by the Ministry of Health's advisory committee on HIV and AIDS and has identified access to drugs as a top priority; and

"Whereas the provincial government has been dragging its heels for several years in coming up with a comprehensive catastrophic drug policy;

"We, the undersigned, hereby petition the provincial government to act immediately to develop a fair, equitable, income-sensitive prescription drug policy that would ensure that anyone with life-threatening illnesses such as AIDS and HIV have access to the cost-effective prescription drugs he or she needs to enjoy a satisfying quality of life. Furthermore, this catastrophic drug plan also should cover non-allopathic treatments such as vitamins, Chinese medicine and herbal medications."

#### CASINO GAMBLING

**Mr James J. Bradley (St Catharines):** This petition is signed by—I'm going to say several hundred people. It's to the Legislative Assembly:

"Whereas the issue of legalized casino gambling is a sensitive and controversial issue; and

"Whereas 'this government has said it will not put a casino anywhere there is not overwhelming support' (written statement by NDP MPP Margaret Harrington of Niagara Falls, presented at the September 2, 1993, public hearings of the standing committee on finance and economic affairs regarding Bill 8); and

"Whereas we believe that the city council of Niagara Falls has not received a mandate to introduce casino gambling from the people of Niagara Falls at the last municipal election;

"We, the undersigned, petition the Legislative Assembly as follows:

"We, the undersigned, who are opposed to casino gambling, request that the Legislative Assembly of Ontario not allow the city of St Catharines to become a candidate for a gambling casino unless there is broad-based public support for such a facility, which we are requesting to be determined through a referendum vote by the citizens of Niagara Falls."

I think the word they wanted to emphasize there was "broad-based." I am in agreement with this petition. I will sign it.

#### FEDERAL HEALTH LEGISLATION

**Mr Larry O'Connor (Durham-York):** I've got a petition here to defend the Canada Health Act.

"The Canada Health Act is perhaps the most important social legislation in our country's history, as it is the contract between the people of Canada and their government and between themselves to foster and protect the health of Canadians with fairness and equity.

"The Canada Health Act also serves to draw a diversity of people and regions together to bind us together cooperatively in the protection and fulfilment of a true national objective: mutual good health and wellbeing.

"Therefore, we, the undersigned, urge and petition the leader of our great nation to preserve and protect the intent and integrity of the Canada Health Act as it was originally envisioned, and to do so within a framework of fairness, combined with fiscal prudence and responsibility."

It's been addressed to the Prime Minister of Canada, which probably makes it out of order, but I'll sign it and send it down to the Clerk for his direction.

#### FIREARMS SAFETY

**M. Gilles Bisson (Cochrane-Sud) :** J'ai ici une pétition de quelques centaines de personnes de la circonscription de Cochrane-Sud qui se lit ainsi :

To the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years. (We are not unsafe and we are not criminals);

"And whereas we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"I/we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters, and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I've signed the petition.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms Haeck from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee has carefully examined the following applications for private acts and finds the notices as published in each case sufficient:

Bill Pr118, An Act to revive Monpre Iron Mines Limited

Bill Pr121, An Act to revive York St. Peter's Evangelistic Organization

Bill Pr130, An Act to revive Brampton Bramalea Christian Fellowship

Bill Pr133, An Act to revive Community Network of Child Care Programs (Willowdale)

Bill Pr136, An Act to revive Peace Bridge Area United Fund Inc.

Bill Pr138, An Act to revive Berean Baptist Church of Collingwood.

The committee recommends that the fees and the actual costs of printing at all stages and in the annual statutes be remitted on the following bills:

Bill Pr96, An Act to revive the Hamilton and Region Arts Council

Bill Pr114, An Act respecting The Hamilton Community Foundation

Bill Pr121, An Act to revive York St Peter's Evangelistic Organization

Bill Pr130, An Act to revive Brampton Bramalea Christian Fellowship

Bill Pr138, An Act to revive Berean Baptist Church of Collingwood.

**The Deputy Speaker (Mr Gilles E. Morin):** Shall the report be received and accepted? Agreed.

#### STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mrs Marland from the standing committee on government agencies presented the committee's 31st report.

**The Deputy Speaker (Mr Gilles E. Morin):** Do you wish to make a brief statement, Mrs Marland? No.

Under the terms of standing order 106(g)11, the report is deemed to be adopted by the House.

#### INTRODUCTION OF BILLS

##### SECURITIES AMENDMENT ACT, 1994

##### LOI DE 1994 MODIFIANT LA LOI SUR LES VALEURS MOBILIÈRES

Mr Laughren moved first reading of the following bill:

Bill 190, An Act to amend the Securities Act / Projet de loi 190, Loi modifiant la Loi sur les valeurs mobilières.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

**Hon Floyd Laughren (Deputy Premier and Minister of Finance):** The Securities Amendment Act will provide the Ontario Securities Commission with the proper authority to protect investors and maintain confidence in Ontario's capital markets as a safe place to invest. The bill will confer on the securities commission the power to make rules that would have the force of regulations in a large number of specific areas. In addition to these rule-making powers, the OSC will be able to issue policy statements which will be guidelines but not have the force of law.

To enhance the public participation in developing policy on securities, the bill requires that the chair of the OSC annually prepare an annual statement of priorities for the upcoming year and a status report on the preceding year's initiatives. It also requires legislative review of the Securities Act every five years.

##### TD TRUST COMPANY ACT, 1994

Mr Marchese moved first reading of the following bill:

Bill Pr131, An Act respecting TD Trust Company and Central Guaranty Trust Company.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.  
1540

#### OPPOSITION DAY

##### SOCIAL ASSISTANCE REFORM

Mr Harris moved opposition day motion number 1:

Whereas in these difficult economic times, a fair and efficient social safety net is more necessary than ever to give people a hand up instead of a handout;

Whereas on average, Ontario's welfare benefit payments are 30% higher than the average of all provinces;

Whereas in the recession of 1982, welfare costs in Ontario were \$930 million and, coming out of the current recession, costs have ballooned to \$6.8 billion for 1994-95;

Whereas between 1985 and 1990, the Liberals hiked rates 60%;

Whereas caseloads increased steadily throughout the boom years of the 1980s and have doubled since 1989;

Whereas the current welfare system penalizes recipients who work to earn extra money;

Whereas the goals of welfare reform, as stated in the Common Sense Revolution launched in May 1994, should be (1) returning welfare to its intended role as a temporary support program, (2) streamlining the system to improve access and efficiency and (3) ending waste and fraud;

Whereas the Common Sense Revolution plan will save taxpayers \$1.75 billion;

Therefore, this House calls on the Minister of Community and Social Services to implement the plan outlined in the Common Sense Revolution, including:

(1) Set Ontario's welfare benefits at 10% above the average level of all other provinces;

(2) Move 170,000 elderly and disabled recipients out of the welfare system to a new, separate income supplement program. Funding for this program will be guaranteed at current benefit levels;

(3) Replace welfare with a mandatory workfare and learnfare program that will prepare welfare recipients to return to the workforce by requiring all able-bodied recipients—with the exception of single parents with small children—either to work or to be retrained in return for their benefits;

(4) Included in this will be a Youth Jobs Corps to provide younger people with the opportunity to learn new skills while performing work for their community;

(5) Establish a \$100-million joint public-private-volunteer sector program to ensure that work opportunities exist;

(6) As a transition measure, allow current welfare recipients to earn back the difference between the new benefit levels and the old rates, with no penalty or impact on eligibility;

(7) Eliminate an existing policy which grants benefits to 16- and 17-year-olds who simply chose to leave home, and expand the role of the children's aid society to provide foster care for young people up to 18 who are



caught in abusive home environments;

(8) End direct deposit of benefits and require in-person pickup of cheques by recipients;

(9) Introduce a photo/smart-card ID system, reinstate home visits, centrally computerize the benefit payment system and enhance the authority of welfare review officers to conduct welfare fraud inquiries;

(10) Facilitate community nutrition programs for school-age children and introduce new programs for literacy, parenting and child support.

**Mr Michael D. Harris (Nipissing):** I am not going to speak at length today. My views are a matter of record. My party and my caucus have been in consultation with thousands of people across this province, many caught in the trap of the welfare system and in the cycle of dependency, with much of the advice coming from the front-line welfare workers themselves. We have listened.

The fact is that the current system is an unmitigated disaster, one of the worst in the world—one of the worst for the taxpayers, one of the worst for creating a cycle of dependency, one of the worst for abuse and fraud, one of the easiest systems to rip off, if that's the goal of some people, but most importantly, a system with a horrendous cost to the taxpayers, seven or eight times the cost of just 12 years ago, that is actually, with all those dollars, doing a worse job today than it did just 12 years ago.

We cannot and must not accept the status quo. I think of the lost opportunities, particularly, I might add, between 1985 and 1990; so if the shoe fits and the Liberals are uncomfortable with this in the Legislature, so be it.

The Thomson report, or the SARC report, outlined major changes, which in fact were pretty clear, and said: "If all you're going to do is increase rates and not change the system, you will have done damage to those people currently trapped in the system. It will be worse than if you didn't increase rates"—a powerful statement from poverty and welfare advocates crying out for reform. And what did the Liberals do between 1985 and 1990? All they did was increase rates. They made the system worse.

In fact, the system that was inherited by the current administration in 1990 was out of control. The lack of controls, the lack of empowerment of our professional social workers, who neither this administration nor the current one will even—we're the last province in Canada to recognize, empower and register as a profession social work, which is another disgrace: the very professionals themselves, the experts who came forward, the will and the desire from business, from all three political parties throughout that period of 1985 to 1990 for reform, and not one step was taken.

As a result, not only have taxpayers been ripped off, not only have we contributed to a loss of work ethic; the massive loss of pride, of hope, of opportunity for some one million Ontarians is the real tragedy in doing nothing. Doing nothing, sitting there pretending to analyse, pretending to have compassion, making all the statements and doing nothing, is absolutely the worst possible thing that can be done.

My caucus colleagues and I, with the help of thousands

of people across this province, consulted, we listened and we developed proposals and policies to fix what's wrong. It is a major change from the status quo. I realize some are attacking it. I heard the Premier today say he wouldn't participate in the debate, and I regret that, because I believe this debate today is the only significant piece of business we've had in this Legislature since we adjourned in June. The government really has absolutely nothing on its plate, nothing on its agenda. Today actually is a very topical agenda item, something crying out for reform, and for the Premier to not even participate in the debate I think is a disgrace.

The Premier and some of those want to attack the plan. Some have said it's mean-spirited. Is it mean-spirited to give some people the tools they need and the experience and the job experience they need, able-bodied people? I think not. I think it is mean-spirited by default to do nothing. I think that is a disgraceful action.

Some have told us—we've had a number of writers, not the least of whom is Rory Leishman, national affairs for the London Free Press: "Higher benefits, More Dependency. The Ontario government is the principal author of the province's financial misfortunes. A large part of it is the attitude towards our entitlement programs and welfare"—a large part of it. "The Ontario government is the principal author of the province's financial misfortunes." It's financial, it's a waste of dollars, it's the work ethic, it's attitude, it's the loss of hope and opportunity and dreams of so many people.

The Wall Street Journal: Now the international media are starting to notify people, "Welcome to Ontario: Welfare Haven," that if for some reason you feel you can't work wherever you are, see if you can get into Ontario, Canada, because you get the freest ride there, the least controls.

It is absolutely disgraceful that this province, Ontario, envied around the world, "Yours to Discover," known by so many as the place of opportunity, that if you came and worked hard you could succeed, could get ahead, is now known as the highest-taxed, with the fewest jobs and fewest opportunities, but if you want a free ride, see if you can get into Ontario, Canada. This isn't me saying this; it is what is being said about us around the world. I'm telling you to open your eyes and listen to how we're becoming known.

"Canada Not Alone in Social Program Reform." We're just the last. Axworthy and the Ontario government seem to be the last two in Canada to recognize that major overhaul of our entitlement programs was required, for two reasons: (1) so we don't go bankrupt, (2) so we don't lose every last respect of the work ethic and that pride that built this great province and country, and (3) so that we don't doom more and more children, more and more of the most vulnerable to a lifetime of dependency and a loss of hope.

1550

We've put a number of the programs and the proposals on the record. We invite the debate. We invite the other parties to work with us constructively, since we have the only plan out there that is comprehensive and detailed, to take our plan. If there are some amendments you want to

make, if there are some suggestions you have, if there are some explanations you'd like to have, fine.

We're asking you in a non-partisan way. Never mind the misrepresentation and the nonsense. The Premier said today that children will be worse off under this program; the absolute reverse is true. Nobody, no able-bodied person, will lose a nickel, provided they participate in the programs. I think they want to participate in the programs, but we have to provide them.

The onus is on government, on society, on business, on companies, on charitable groups, on non-profit, on profit—we have to show the leadership, we have to provide the opportunities, and this plan guarantees the opportunities. The onus is on government: us. If one single person in Ontario were to receive fewer dollars under our proposals, it would be the fault of government for not providing the opportunities, or if an individual given those opportunities said: "No, I won't do it. I won't work. I won't be retrained. I won't accept that. I won't do it." Under those circumstances, there could be fewer dollars.

I think it's fair for all able-bodied people to be given a range of options, and it is our onus to provide them. I think that is fair, but the onus is on all 130 of us. Stop the partisan politics. Stop the smugness of sitting in your places. Stop the holier-than-thou statements. Stop the empty, shallow, hollow, sympathetic words and get off your duffs and start moving on substantial reform of a system that is not working in Ontario, that is crying out for changes, and work with us to bring truly meaningful welfare reform to the province of Ontario.

**Mr Randy R. Hope (Chatham-Kent):** I'm glad I'm able to participate in the debate because, before I begin in the debate, the leader who just spoke for the Progressive Conservative Party, the Tories, talked about welfare. I clearly remember that just a few years ago the leader came to my riding and made a mockery of the system of social services, talking about how people are making \$17 and \$20 an hour on social assistance, which was very misleading and which angered people in my community.

The member talks about social assistance recipients, figuring there's some category of individuals who by birth are on the system. For the member's information, let's refer to most of the people I am acquainted with in my riding and how they got to social assistance. They got there because of plant closures, companies taking advantage of the free trade agreement and currently the North American free trade agreement, jobs that have been lost because of Tory economic policies.

Brian Mulroney implemented a program which said that we would compete in the North American market, removing the protection we had in the automotive industry, in agriculture, removing those protections we had and entering us into a free trade agreement which caused a lot of people who had good-paying jobs to leave those jobs because of plant closures, move on to unemployment insurance, which was also reformed by the Conservative Party, which made drastic changes and which reduced their benefit levels and then moved them into social assistance.

These are the people we're talking about, people who

contributed 10, 15, 20, 30 years in the workforce and are now dependent on social services. Why? The leader stands up here today, projecting that he can lead this province into good reform and good policies. Just take a look at what they've done federally. These are the people we're talking about.

When he says a loss of pride and hope, the loss of pride and hope came about because of a Conservative government federally which devastated, I must say, my community and the people I represent. And I know the people I represent who are on social services would love to have a good-paying job, would love to be able to provide for their family, would love to be able to participate.

But this member stands with this resolution and wants to put branded collars around your necks. It's like lining up—when I hear of a Tory policy on social assistance reform, my first projection is—you know how you see on TV on the police story shows, they show you with a sign in front of you, take your picture and you carry this ID around and you're posted all over the post office walls—this is the type of system that this member wants to bring forward in this province.

If you want an example of the system that he wants to put forward, just look south of the border. You'll see it. It's there and it's in living colour. Tell me if those people on social assistance in the United States living in poverty, living in such demeaned housing—you'll see it across the United States. Why will you see it there? Because of similar policies which want to be brought forward.

The member talks about a reduction of 10% above the national average of all the other provinces. Let's take a look at what that will do—and the Premier clearly indicated today what that would do to families. Children we're talking about; we're not just talking about adults. Social assistance recipients also include children in our society, and I thought their critic for the Ministry of Community and Social Services was such an advocate on behalf of children's mental health and children's services in this province he would stand and support his leader on this resolution.

But sole-support parents would receive a 19% to 22% reduction in their social assistance payment, which means in reality of dollars, in a rough estimate, about a \$200 reduction would take place—\$200. Now, Mr Speaker, I know you have a family and know what it costs to put food on the table. I know what it costs for groceries this day for a family of four and I have two small children that eat constantly. It costs us about \$150 and that's not buying steaks; that's buying the basic necessities of life to make sure you're providing for your children. So could you imagine a \$200 reduction in the social assistance payments to that?

A single employable's reduction would be approximately 16%. An employable family would receive a reduction of 18%. So you're talking about close to, and I'm using approximate numbers, about \$300 a month reduction for a family of four with two adults in the family. You're looking at a major reduction in their ability to provide for their children in their community.

This reduction to sole-supports and families with



children potentially reduces the allowance for 540,000 children in this province. We have a crisis already we've identified with children in our communities getting proper nutrition. I mean, even the member opposite stood up and made a speech about providing nutrition programs in our schools. Then in the other breath he wants to take it away from actually giving the money to the parents so that they can provide for their children.

When he talks about measures, he's talking about elimination of a program called Jobs Ontario, the true meaning of getting people off social assistance and getting them into the workplace.

He talks about the special needs, about dealing with seniors and the disabled. Let's talk about the effects. The special needs of people with disabilities and seniors who are not eligible for old age security and guaranteed income supplement are met through the current social assistance system. So he again is talking about attacking seniors and attacking disabled persons through a policy initiative he's introducing today in which his document clearly supports an attack on seniors and an attack on disabled persons.

Let's look at what else he's bringing forward in this reform that he keeps touting as being so effective and efficient in what he's trying to do for the people that he's so-called representing. He's talking about volunteerism. Truly, volunteerism is an important part. It helps to regain work experience. But let's face it, volunteer work occurs in public agencies. Public agencies are going through a structural change themselves. We're trying to get away from the cost loads of implementing programs that are only short-term. That's why we created a program called Jobs Ontario, for long-term employment.

When this member stands up and says that workfare is a great opportunity, studies have proved it's not. Policies that were introduced by the federal government, the Tories at that time, by Brian Mulroney, have led us into a leaner, meaner society, which means that we have to improve the skill levels of people. We cannot have people out there continually dependent on the system if we're just to make them clean the streets, dig the ditches, shovel the sidewalks and do all those things. We've got to invest in training dollars and also in training programs to assist employers to help upgrade the skill level of those individuals.

I must say, in the short time I have, that I cannot support the initiative that is being put forward by the leader of the Conservative Party. This initiative is the wrong direction. An example I clearly use is what's going on in the United States. This action that he is talking about today counteracts what his critic has always been saying in the public accounts committee, "Spend, spend, spend." We've been spending, but we've also been managing the system and controlling costs.

1600

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I am pleased to take part in the debate on the opposition motion today. I must tell you that I find this motion which presents the third party's position on social assistance reform a simplistic attack on a very complex issue. The resolution is filled with worn-out phrases, denies realities and is

based on unsubstantiated figures. Indeed, this Progressive Conservative resolution is rife with contradiction.

As I read this afternoon's resolution and the Conservative documents on social assistance on which the resolution is based, I see a tendency in many circumstances to assume the very worst about the motives of people in need. I see a basket of punitive measures. The Conservative position lacks vision and offers no positive solutions and no hope for a better future for those individuals and families who are experiencing personal difficulties. Mike Harris seems to want to punish them simply because they're in desperate circumstances.

The Liberal caucus believes that real reform is needed to detect and stop individuals who are collecting social assistance in more than one province; detect and stop those who are collecting social assistance under more than one name; detect and stop individuals who in various ways underestimate their income, through a change in salary, becoming self-employed, a change in eligibility for benefits, whether that be workers' compensation or unemployment insurance; detect and stop individuals who, through reconciliation or separation, have changed their marital status or who change the number of or relationship with their dependants. Each of these eligibility criteria must be proven and verified in each case.

As you can see, social assistance is complex and administrative or systems errors resulting from a lack of real reform, outdated technological support or very heavy caseloads continue to be a significant cause of inconsistencies and inefficiencies within a social assistance program.

In 1994, the computers used by front-line workers are, in many Ontario locations, not compatible one with the other, making effective eligibility verifications impossible. The minister promised months ago to address this problem, but to this point we've seen little, if any, improvement in many communities across this province.

Fraud in any form cannot be tolerated. Front-line workers, intake workers, case workers, municipal politicians and provincial politicians must work together to build partnerships, teams that involve the Canadian immigration border patrol, unemployment insurance eligibility officers, Revenue Canada auditors, bank managers, registrars in post-secondary institutions, landlords, the police and the courts, which can assist in legal guidance in the establishment of practice for the collection of evidence.

Teams I describe have joined forces to ensure in their own communities that only those in real need receive assistance. Each and every municipality in this province must be encouraged to coordinate all data available, every possible relevant piece of information available from federal departments of Immigration, Revenue and the Unemployment Insurance Commission, from provincial and interprovincial jurisdictions, from judicial and educational sources, all data available on each and every individual who applies and who then enters the social assistance system.

A good example of this interagency cooperation took place in my own community of Ottawa-Carleton in the

summer of 1992. The Legal Action Project provided a forum for the identification and investigation of potential fraud, as well as the facilitation of legal action in cases where fraud was discovered.

Sudbury and Hamilton, to name but a few, continue to build teams and computer networks within their communities to tackle the real problems of fraud. Hopeful results have already been achieved in some communities. In Northumberland the city council has just recently discontinued their welfare fraud hotline because it cost more to operate than it collected in fraudulent welfare claims. In Bruce county, the Owen Sound Sun Times of October 19 quotes social services commissioner Dick Verrips: "Based on our results so far, abuse isn't really rampant."

There continue, however, to be weak spots in the system. One such is overpayment, individuals who obtain funds in excess of their eligibility. In fact the 1994 auditor's report presented yesterday stated, "The ministry should develop and provide standardized training to all program review officers to ensure consistency and quality of work performed." Standardized training, evaluation tools and manageable caseloads are crucial to an effective and efficient social assistance system.

Home visits as a first intervention deserve serious reconsideration and reinstatement. Research has shown that first intervention or contact is crucial in both best serving needs and preserving the integrity of the system. Home visit blitzes, as suggested by the Provincial Auditor in his 1994 report, could in some municipalities reduce errors and abuse and would give front-line workers the opportunity to witness at first hand the actual circumstances of applicants with the application data as presented. Residency, marital status, the presence of dependants and/or boarders and the conditions of residential leases could be assessed on the spot to the satisfaction of both the applicant and the front-line worker.

Home visits, however, are expensive. Front-line workers are expensive. Where is the cost of this Tory promise within a 20% budget cut? I ask, are the Tories really willing to put money, real money, into social assistance to make it more effective? I think not.

If I might turn to another area of very general concern, the provision of social assistance benefits to 16- and 17-year-olds, the real need to provide income support to young people in cases of abuse and in some cases of family breakdown cannot be denied. Real concerns, however, are expressed by many Ontarians that eligibility criteria for this group of recipients are too broad, too unclear and too fuzzy.

Many municipalities—my own, the regional municipality of Ottawa-Carleton, included—have done extensive work in developing and refining eligibility criteria for this very vulnerable group of teenagers. The children's aid societies, the school boards and indeed the police forces in Ontario have important roles to play in assisting these individuals.

In each and every community, the needs of these 16- and 17-year-olds must be recognized. In each and every Ontario community, eligibility for assistance, regulations and criteria, whether it be mandatory job search, school attendance, or, under certain conditions, abiding by a

curfew or a probation condition must be developed.

It's essential that accountability of recipients and case workers be a priority—accountability on both sides, recipients and case workers—when we are attempting to redirect the lives of 16- and 17-year-olds in need beyond the support of their family.

1610

Real facts about social assistance recipients are often hard to find. I believe it's essential that I place some on the record this afternoon during this debate.

The family benefits assistance rate in Ontario for a family of four, including shelter allowance, as of April 1994 is \$1,823 per month. There are 26,316 children in Ottawa-Carleton alone in such families.

According to the 1994 ministry estimates, 61.8% of social assistance recipients live in private residential accommodation, not public housing, as many believe, and much of their income goes to rent. In October 1993, the average rent for a three-bedroom apartment in Ottawa was \$844. What this means is that this very real family of four that I'm talking about in Ottawa has \$979 per month left after they've paid their rent.

The Social Planning Council of Ottawa-Carleton, as part of a study released this month, has calculated that for a family of four utilities cost \$88, food \$569, one monthly bus pass \$150, totalling \$1,651 in monthly expenses and leaving a grand total of \$172 per month for discretionary spending on such things as child care, clothing, recreation, telephone, laundry, dry cleaning and other household items—real "discretionary" spending. Do the Tories really think this is discretionary? These are today's figures. Tories, however, would suggest that \$1,315 monthly would be sufficient for this family of four. What else can this cut into but the food and transportation budget of this very real family? This family would have to make even more difficult choices about whether they could have a telephone, whether they could buy a winter coat or a snowsuit, whether they could go skating.

The amounts the Tories suggest for these families to exist on are beyond the realm of reality. They just don't relate to the real world. Under these circumstances of bare survival, would anyone—mother, father, or teenaged child—really be able to make a transition to work? Would any family of four in Ontario adequately meet their basic need for food, clothing, personal and health care under these circumstances, with these meagre resources of \$1,315 for four people for one month in this province? I would like to ask each and every member of the Legislature present to ponder that question.

The Progressive Conservatives' slash-and-burn policies attack, really attack, the general health and wellbeing of children and adults in difficulty, individuals with already frail physical and emotional conditions, and families under stress.

I quote from Transitions:

"The payment of insufficient benefits is profoundly counterproductive to transition. Not having the simple necessities of life isolates people from their community, adding a burden of stigma as well as reducing self-esteem, motivation and hope."



Liberals have long recognized the need for social assistance reform. You know and I know, Mr Speaker, even though this afternoon Mike Harris chose to selectively remember and thus to forget, that much work had already been done in this area before the fall of 1990. Liberal ministers of Community and Social Services introduced and began the implementation of the Social Assistance Reform Commission's recommendations. I refer to the Transitions report, which I and many others believe to be the real foundation upon which social assistance reform in Ontario must be built.

Again I quote from Transitions:

"The objective for social assistance must be to ensure that individuals are able to make the transition from dependence to autonomy, and from exclusion on the margins of society to integration within the mainstream of community life."

A key recommendation of the Social Assistance Reform Commission was the supports to employment program, which has been greatly frustrated by NDP cutbacks. STEP is a success story, encouraging people to enter the workforce by removing disincentives. It's a positive response to the problems faced by newly hired employees in the fragile period of transition from social assistance to full participation in the workforce.

As part of its expenditure control program of 1993, 1994 and again 1995, the NDP government has severely limited STEP as an exit from social assistance into the world of work for those in need. Incentives, especially those applicable during the first three months of entering STEP, have become disincentives.

The principles underlying the creation of STEP were real Liberal principles. It was conceived to be a positive, cost-saving program which provided choice, opportunity and dignity to those trying to re-enter, or indeed enter for the first time, the job market.

Today's resolution outlines the Tory philosophy of social policy reform which just reduces choice, which reduces opportunity and the protection of the dignity of the individual in need of assistance.

On October 15 of this year, when describing his Youth Jobs Corps proposals, the leader of the third party, Mike Harris, stated: "Community service work will be mandatory for able-bodied welfare recipients 29 and under, unless they are attending an education or training program, or are the single parent of a child three years of age or younger. Placement opportunities will match employment interests and labour market needs as much as possible."

This Mike Harris Progressive Conservative proposal makes communities into chessboards. This proposal totally ignores fundamental principles of the marketplace and denies reality, it denies choice. It's a vacant lot with no building plans for the future.

The Tories say this focus is on jobs, but workfare and learnfare beg many, many questions.

Are we training for and creating long-term or short-term jobs? What kinds of incentives and responsibilities can employers expect if they participate in a program? What are the responsibilities of educators and school

boards and post-secondary institutions in this process? Is there a commitment—the real question—to make the program viable, a commitment of real dollars?

Do the Tories really believe that the vast majority of social assistance recipients do not want to work, that if jobs were available they would have to be mandated to take them? Do Tories not know that almost every training and retraining program in this province has pages and pages of waiting lists?

The NDP five-year record and today's resolution, as presented by Tories, have one and many similarities. They lack vision, respect for individuals in need, they eliminate choice, and they ignore realities.

For a moment, let's examine workfare. To begin, it costs money to look for and find a job, either as an individual or, in the case of workfare, as a government. A social assistance recipient's level of skill often limits placement opportunities.

Transportation, books, equipment and, in many cases, clothing and child care must often be provided for the new workforce.

And let's not forget new supervisory and appeal structures that must be developed within the existing workforce into which the social assistance recipient is to be integrated. Integration of an employee placed under a mandate is a very, very involved process.

Many, many studies and indeed experiences, both on this continent and abroad, show that as an expenditure control strategy, workfare simply doesn't work. It just doesn't work.

The social assistance system is very complex. Simplistic responses like workfare and learnfare are not the solution. Real reform they are not. We need reforms that work.

Many people seeking to re-enter or enter the workforce require child care services. Members will know that there are long, long waiting lists for child care spaces in almost every community in this province.

Here again are many similarities between both the NDP's five-year record and this Progressive Conservative resolution: no recognition of real needs, no ability to provide solutions, just ideology; no real support to individuals, no real recognition of facts, no placing real dollars where they would change lives.

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The long-term effects of poverty on the general health and wellbeing of those in need are a reality and must be recognized and acknowledged. Poverty does have its effects. Poverty, we all know, usually results in increased family stress, reduced physical and emotional wellbeing and increased demands for community support service. Waiting lists of people with real needs continue to grow in my community of Ottawa-Carleton and right across this province—waiting lists for supportive housing, subsidized child care and long-term counselling, to name but three.

No employment program, whether mandatory or voluntary, has any hope of success until these issues are meaningfully addressed. The NDP has failed to address them in its five-year mandate, and there is no indication

in this Tory resolution that they intend to address them either.

*Interjections.*

**The Deputy Speaker (Mr Gilles E. Morin):** Order. If you want to carry on a conversation, I invite you to go outside the House, please.

**Mrs O'Neill:** Liberals believe in social assistance reform that recognizes the complexities of the system and addresses them comprehensively. Liberals believe that providing incentives, rather than disincentives, to enter or re-enter the workforce is an underlying principle of social assistance reform.

**Mr Anthony Perruzza (Downsview):** On a point of order, Mr Speaker: We have an opposition motion before us. There should be a quorum here to deal with it. I don't believe there is one.

**The Deputy Speaker:** Would you please verify if there is quorum?

**Clerk Assistant and Clerk of Journals (Mr Alex McFedries):** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Journals:** A quorum is now present, Speaker.

**The Deputy Speaker:** Order. The member for Essex-Kent, please take your chair. The member for Ottawa-Rideau.

**Mrs O'Neill:** Liberals believe in social assistance reform that recognizes the complexities of the system. Liberals believe that by providing incentives, rather than disincentives, the workforce will grow. Reform can be achieved without compromising the autonomy and dignity of those who receive services and without blaming the victims of poverty.

STEP and opportunity planning are but two of the possibilities through which effective transition to work has been and can continue to be achieved. The success of these programs, both begun under the previous Liberal government, are recognized by many municipalities and, more importantly, by hundreds of individuals and families as real stepping stones to hope and a change for the better.

Perhaps you, as I, have met individuals who are graduates of the Ontario opportunity planning program, who feel great about the new contributions they are able to make to their very own communities and in their very own families.

Community venture capital schemes to assist in the startup costs of new businesses, avenues to self-employment and municipal partnerships with for-profit and not-for-profit agencies to provide creative volunteer and employment opportunities are gateways into the workforce, gateways which are much healthier than workfare. These programs are springing up in communities right across this province.

The leader of the Ontario Liberal Party, Lyn McLeod, has stated, and I agree, "It's not the role of government to direct and control people's lives, but rather...to create an environment in which people can solve problems for themselves." Or as someone said to me the other day,

"It's just politically incorrect to take away people's choices."

Liberal policies provide choices and are built on respect for individuals, no matter what their circumstances. Liberal policies are built upon initiatives and incentives and provide a range of opportunities and bridges to self-reliance and independence, such as STEP, opportunity planning, accessible child care and meaningful training.

I deeply regret that the bulk of the budget cuts suggested by Mike Harris and his Progressive Conservatives in this Legislature today will be borne on the backs of those who have the fewest opportunities in this province. The vulnerable children and adults, those in our society who cannot find the work they desperately seek, these are the ones who will bear the brunt of the Harris revolution. This is not common sense, this is uncommon cruelty.

Mike Harris promises a meaner and tougher Ontario. I dissociate myself, as do most Ontarians, from this hopeless, reactionary and out-of-date policy, a policy of cut and slash from the Progressive Conservative agenda.

**Mr Chris Stockwell (Etobicoke West):** I'm going to be extremely brief, because I know there are a lot of people in our caucus who want to speak to this.

*Applause.*

**Mr Stockwell:** I know the member for Yorkview is very pleased about that.

I just want to say quickly, particularly in comments to the previous person who spoke for the Liberal Party, it's astounding to me that she can make the comments she makes when Ontario welfare recipients on average receive 30% more than anywhere else in this country.

**Interjection:** In North America.

**Mr Stockwell:** In fact, yes, North America. Are you trying to say to us in this Legislature and to the people across the province that Liberal governments in other provinces are raving right-wing Conservative-Republican operations that are allowing children to starve in the streets and people not to live a minimum standard of lifestyle? That's the situation. Our rates are 30% higher, and you're telling us that if we implement a program that brings our rates in line with those around the rest of the country, somehow children will be starving in the streets and terrible things will happen in this province.

I don't think Frank McKenna would agree with you. Now there's a Liberal, and his rates are significantly lower than ours. I don't think the Premier in BC would agree with you. That's a socialist in power and his rates are significantly lower than ours. Or Mr Romanow in Saskatchewan, another socialist. His rates are tremendously less than what we offer in this province. As far as I can tell, and I've watched the CBC recently, children aren't starving in the streets in those provinces. People aren't living below standards in those provinces like this.

When we offer up a sensitive document that deals with welfare reform and we talk about reduction in rates, you carp at us that people will starve in the streets, but that's just not the case in other provinces and jurisdictions in North America. So I think you're talking out of both sides of your mouth.



Quickly and finally, to be very direct, this Liberal Party simply wants to tinker. It doesn't want to lower welfare rates. It doesn't want to tighten up the qualifications for applying and receiving welfare. They don't want to change anything about welfare at all, except they want to say, "We want to relook at the whole situation of welfare, but we don't want to make any changes."

They were in power for five years. They had a long time to do all kinds of things with welfare. They did nothing except restrict home visits. They did nothing except direct-deposit cheques. They did nothing except make welfare easier to get and allow the fraudulent misuse of this system to continue. So I take those comments with a very large grain of salt, coming from a Liberal who simply ruined what was a fairly decent system under 43 years of Conservative rule.

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**Ms Jenny Carter (Peterborough):** I'm glad to have the opportunity to speak on this resolution today. This government is getting Ontario back to work. Our job creation program, Jobs Ontario, is having results throughout the province. We're committed to economic growth. That is why we have invested in jobs. That is also why we have continued to commit ourselves to a system of social assistance that is fair and equitable. Those who are unemployed need our support while they're looking for work. Not only the unemployed but everybody who's on social assistance—the unemployed, children, single parents, seniors and the disabled—deserve care and compassion.

The resolution introduced by the leader of the third party is neither caring nor compassionate. It is brutal and mean and it will not work. Instead of encouraging the unemployed, who have to use social assistance, to find jobs, it will punish them for being unfortunate. Instead of helping those who need help on a continuous basis, like children, seniors and some of the disabled, it will alienate and stigmatize them.

The vast majority of social assistance recipients are honest and hardworking. They're our families, our friends and our neighbours. They're people and people deserve to live in a society that is just and fair. That is what this government is working towards.

I want to talk about my local community. People who are on social assistance in Peterborough want to be working. The majority are not welfare cheats. They're hardworking men and women who have lost work due to the recession. Many of them are children. They're young people or older workers or single parents. They're also seniors and the disabled. These are the people who need social assistance. They need a system which is caring and compassionate. They deserve income security and to have their basic needs met.

Women on social assistance deserve economic justice. We need a system that is sustainable and a system that is fair. The last thing we need is the resolution put forward by the third party today. Children, seniors and the disabled merit our support.

The children of Ontario are our future. Our support for them guarantees our future. Here I think of the state in

the USA where some children are going to be denied schooling. What kind of future will that bring?

The resolution of the leader of the third party proposes the facilitation of a child nutrition program and the introduction of new programs for literacy, parenting and child support. Those programs have already been initiated by this government. If the leader of the third party is suggesting he will do more, I would like to know how he plans to pay for it considering that this resolution would cut \$1.75 billion out of social assistance.

The leader of the third party would like to separate seniors and the disabled from the current social assistance system. Their needs are already being met in the current system. This change would involve an enormous waste of money in its implementation. Has he considered that?

Furthermore, many disabled people are employable with appropriate support. Removing them from the current system would stigmatize them further and there would be greater disincentives to employment. Our Employment Equity Act guarantees them employment opportunities.

This government has gone to great lengths to make sure that the system we have is fair. Through case file investigation, we've uncovered some of the people who abuse the system and we're working on it. Fraud is a crime and criminals should be dealt with and welfare fraud does exist, but the number of cases is small.

The vast majority of welfare recipients in Peterborough and in Ontario are honest and hardworking. They should not take the blame for a small group of dishonest cheats, and that is exactly what will happen with this resolution. Deep cuts will only hurt those who we're trying to help. We want to encourage people who are on social assistance to find work. Why should they be punished for being unemployed or being children or seniors or disabled?

Mr Speaker, 15% of the population in Peterborough depends on social assistance, according to a report from the Peterborough Social Planning Council released last month. That number is high compared to the provincial average of 10%, but there are reasons for these numbers. Let me explain.

Between 1989 and 1993, there was a decrease in the total number of jobs provided by the top 10 employers in Peterborough of 1,127. That's 1,127 people out of work, not to mention the impact these layoffs have had on the local economy. Some of these hardworking people have not been able to find work, which is why welfare cases have increased in that period. General welfare cases have increased by 198%, and family benefits cases by 137%. These people need help, not punishment. They need encouragement to get them working again, and that's what our social system is designed to provide.

If Mr Harris thinks benefits are too high, I would like to see him try to adequately feed a family on less after fixed payments like rent and hydro have been met, even with his no doubt excellent life skills.

The member for Etobicoke West says no kids are starving in the street. I think he's thinking about some of the unfortunate countries where children are reduced to

mere skeletons. I don't think we want to get to the point where we have that kind of visible starvation in this country. People can be hungry without it being obvious on the street.

This government is also providing encouragement with our Jobs Ontario programs, and they have been very successful locally. We have created 600 jobs in the Peterborough area using \$3.8 million in provincial funds. In fact, Jobs Ontario Training has been so successful that they recently had to move to bigger quarters. Provincially, the program has been so successful that it has been extended to March 31, 1996. Jobs Ontario Training created 145,000 jobs last year and will create 165,000 this year province-wide.

In Peterborough the jobs created are permanent skilled jobs, helping those hardworking men and women I have been talking about take their rightful place as productive citizens. Some 357 employers have signed up with the program. Currently there is an 88% fill rate for registered employers; 67% of registrants are between the ages of 25 and 44, and 37% are female. To date, more than 2,500 workers have registered in the program.

This creative jobs program is a far cry from the Conservative workfare program. Jobs have already been created, good jobs. Also, there are excellent training opportunities for people on social assistance and they are encouraged to seek work or volunteer experience where appropriate. Our JobLink program was designed to help people on social assistance move back into the workforce. Workfare, in contrast, is an expensive, short-term solution that keeps people from preparing for and obtaining real sustainable jobs.

I'd like very quickly to tell the members of the House about some local success stories.

Gateway Manufacturing on Fisher Drive, which rebuilds fax machines and photocopiers, has hired eight workers through Jobs Ontario Training. I toured the factory last week with president Wally Seeley, who had high praise for Jobs Ontario and the workers who have joined his firm through it.

Quickmill Inc, formerly Compustep Products Ltd, located on Rye Street, has hired two employees.

The largest single number of participants was placed at NHB Industries shortly after the program began.

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Job creation is part of this government's plan for a fair and economically vibrant province. We're starting to see results in Peterborough. UI claims and welfare rolls are down in Peterborough. The labour market review compiled by Canada Employment indicated that UI claims over the last three months for Peterborough-Haliburton have dropped from 5,243 in June to 4,549 in September. In the city of Peterborough, welfare rolls have dropped from 3,916 in June to 3,782 in August.

I leave you with the numbers; they speak for themselves. More and more people in Peterborough are working. This caring and compassionate system is helping to get people back to work.

**Ms Dianne Poole (Eglinton):** I welcome this opportunity to speak to the Conservative motion on welfare.

There should be no doubt in anybody's mind that we must take a hard look at all government programs, including welfare, and ensure that only the people who need and deserve it are the ones getting it.

Surely there would be unanimous consent and unanimous agreement in this Legislature that welfare fraud must be eliminated, that any mismanagement of the welfare system must be corrected and that new rules of verification must be brought in or, as I will later point out, reinstated. But when the Conservatives talk about these goals of welfare reform, they're talking about a motherhood issue.

Liberals agree—we all agree—that welfare should only go to those who need it. Liberals agree that we have to make every effort to those on welfare to help them end dependency on the system. This can be done in many ways: by upgrading skills, by providing meaningful training, by ensuring that child care is available, by promoting job opportunities. Liberals also agree that the system should be revamped to ensure that it is administratively sound and managed efficiently. And of course Liberals agree that the government should be making every effort to eliminate fraud and abuse. These goals are not in dispute. The Conservatives may think they are new ideas, but they are not.

The real question we have to ask is whether the Conservative plan will actually achieve these goals. At first glance, you look at the Conservative motion and you think maybe it's addressing many of the concerns that real people out there have about current welfare system. But I'll tell you, it doesn't hold up to closer scrutiny. Closer scrutiny shows that the Conservative plan is overly simplistic, based on false assumptions, not well-thought-out, not properly costed and not adequately researched.

Let's start by looking at the Conservative statement that "caseloads increased steadily throughout the boom years of the late 1980s and have doubled since 1989." So you would deduce from Mr Harris's statement that caseloads dramatically increased during the terms of the Liberal and NDP governments, right? Wrong. Or, as my teenagers would say, "Not."

Let's do a factual comparison of welfare caseloads under the three governments. First of all, look at the statistics for welfare, which is a short-term program. In the last four years of the Conservative government—

**Mr Perruzza:** Oh, that's right, you're better than we are. She's not political either. Say it: "We Liberals are better than those New Democrats."

**Ms Poole:** Perhaps if the member would listen to what I'm saying he will say that this is an attack on the Conservative plan.

In the last four years of the Conservative government the caseload growth rate of general welfare assistance increased by an average of 10.28%. During the five years of the previous Liberal government, the caseload growth for welfare increased on average by only 1.56%. During the first four years of the current NDP government, the caseload growth rate of welfare increased on average by 32.75%.

But let's look at family benefits, which most people



still call welfare, but it's a long-term program. In the last four years of the Conservative government, the caseload growth rate of family benefits increased on average by 6.1%. Under the Liberal government, family benefits increased on average by only 5.8%, lower than the Conservatives. During the first four years of the current NDP government, the caseload growth rate of family benefits increased on average by 12.6%.

Now what about rate hikes? According to the Conservative motion, between 1985 and 1990 the Liberals hiked rates 60%. But aha, again Mr Harris is quite selective and only gives you part of the story. Let's look at the rate increases for single employables; we're not talking families with children, we're not talking single moms or disabled or elderly. Let's look at single employables, the group with the fewest obstacles to going back to work. In the last four years of the Conservative government the rate paid to single employables increased by 70.4%. That's a far greater increase than either the Liberals or the NDP brought in.

Now let's take a closer look at the Tory plan, first of all the figures. According to the Common Sense Revolution, and this was released in May 1994, they're going to save \$750 million by bringing in workfare, \$250 million a year from administrative changes and fraud reduction, and \$1 billion by reducing benefits. That's \$2 billion. But I bring your attention to a second document called the Mike Harris Forum on Bringing Common Sense to Welfare. It includes a letter dated October 15, 1994, signed by Mike Harris, saying they'll save \$2.35 billion.

But wait, I have yet a third figure for you. According to a speech by Mike Harris to the Ontario Association of Professional Social Workers on October 27, they will save \$1.75 billion from welfare reform. So we're not quite sure what the handy-dandy number that's floating around for today's Tory savings will be, but it does seem strange that they can't get their own figures straight.

The Conservatives' problems in getting their figures straight stem from their refusal to do their homework and look at all the facts. A perfect example occurred on September 21, 1994, when the government released an interim report about its investigation of welfare cases. Minister Tony Silipo reported that in the first 40,000 files examined, clerical error and fraud were uncovered in about 20% of the cases, adding up to \$21 million. Immediately, Tory Finance critic Dave Johnson churned out a press release saying, "This could represent a loss to taxpayers of more than \$1 billion annually." A billion dollars in fraud and mismanagement—what a story.

What the Tories failed to do was look at all the facts, as they so often fail to do. They didn't bother to look at the fact that the first 40,000 files reviewed were targeted as the highest-risk files.

They didn't attempt to learn how much or how little money was involved in each case. One case, for instance, had an overpayment of only one penny. Mr Johnson made an elementary mistake: He applied the 20% figure to money, not cases. He made the erroneous assumption that every welfare recipient who was overpaid, even by one penny, was entitled to absolutely nothing, and he

came up with a conclusion that was totally wrong.

When the final report on fraud and errors was released in October, the findings turned up 1,029 cases of fraud out of 266,000 welfare files. A total of \$66 million was saved by tightening up administration. For half of that, \$33 million, it was simply that people were on welfare when they should have been paid UI or CPP by the federal government. The report did point out that there's a need to tighten up on administration and it also clearly showed that the \$1-billion figure claimed by the Tory Finance critic was way off base and irresponsible.

When I was in high school many, many, many years ago, they introduced new math, which seemed pretty confusing at the time, but I can tell you the Tories' new math is even worse. For those of us who can do basic arithmetic, the figures just don't add up. And the Tories want to sell Dave Johnson as the next Finance minister of Ontario? Sorry, that's hardly likely. But then the Tory motion is riddled with erroneous assumptions and conclusions.

Let's look at item (1): "Set Ontario's welfare benefits at 10% above the average level of all other provinces."

At first blush it doesn't seem unreasonable; after all, it's 10% more than other provinces. But where in the Tory documentation is there any analysis explaining why 10%? Ontario recipients receive welfare benefits that are 30% higher than other provinces, but how much of that is because of the extraordinarily high cost of housing in Ontario and the high cost of living here? Is 10% above the national average enough? Is it too much? Should it be 5%? Should it be 25%? We don't know because there's no analysis behind the Tory figures. Ten per cent is a pretty number, but it doesn't mean much if there are no data to support it.

I believe we should take a look at benefits to ensure they are fair and adequate, but let's not be simplistic: Let's find out the facts, let's find out what the additional costs are instead of slashing and burning in an ad hoc way.

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"(2) Move 170,000 elderly and disabled recipients out of the welfare system to a new, separate income supplement program." That's fine, but this isn't going to save you money. It might make the welfare numbers look better, but it's simply transferring the costs to another part of government.

"(3) Replace welfare with a mandatory workfare and learnfare program that will...require all able-bodied recipients—with the exception of single parents with small children—either to work or be retrained in return for their benefits." Again, on the surface it sounds good, but there are a few elementary questions to be answered. Where are the jobs going to come from? By the way, Mr Harris, your point (5) does not provide any answers to that.

What happens if the jobs aren't available? Retraining for what? How much will the retraining cost? Are you proposing an expensive system like New Brunswick's or are you going to do it on the cheap? What about child care? Are you going to provide child care so people can

go back to the workforce? How much will it cost? Will you allow volunteer work to qualify?

You've said you're committed to spending \$500 million. How are you going to spend it, where are you going to spend it, and over what period? Mr Harris, your proposal hasn't given us answers. It's given us even more questions.

Number (4) is a proposal for the Youth Jobs Corps. It's a great idea, but it's not a new one. Greg Sorbara came up with this idea several years ago, in fact. The federal Liberals had a similar proposal in their red book called Youth Services Canada, and they are already implementing the program. I'd be very supportive of this program, but I must say it's not a new idea.

"(5) Establish a \$100-million joint public-private-volunteer sector program to ensure these work opportunities exist." Again, how would this work? How are you going to entice businesses to put up the money? How much will be contributed by government? How much by the private sector? Without the details, we can't even evaluate your plan.

"(6) As a transition measure, allow current welfare recipients to earn back the difference between the new benefit levels and the old rates, with no penalty or impact on eligibility." First, we have to establish that the benefits are at the right levels, whatever that level should be. Once we've established that, then I agree there should be incentives to help people get back into the workforce.

But under the Mike Harris system, what happens? What happens if the benefits are inadequate and if people can't get part-time jobs to supplement? Do we really want to see more people begging on the streets or resorting to crime to feed their families? I think not.

Number (7) is a real problem for me. It says, "Eliminate an existing policy which grants benefits to 16- and 17-year-olds who simply chose to leave home, and expand the role of the children's aid society to provide foster care for young people up to 18 who are caught in abusive home environments."

This is typical of the simplistic Mike Harris thinking, where he bases his proposals on false assumptions and without consultation. I have talked to some children's aid societies and this is the first they've heard of that; he didn't even consult them.

First of all, where's the data on what this would cost the children's aid societies? Would a Mike Harris government commit to providing the extra money to the children's aid societies, which are already struggling financially to carry out their existing mandate? Do the Conservatives even realize that the financial cost of their proposal, utilizing the children's aid societies, would far exceed that of having these kids on welfare?

For example, the monthly cost of a child in care at the Metro children's aid society last year was \$1,528 per child—that is per month—and that does not include any court costs. Mr Harris, this proposal will cost you big bucks and not save money.

I ask him, what evidence is there that there's widespread abuse by 16- and 17-year-olds of the welfare system? The latest statistics for 1994 show 1,163

16-year-olds on welfare and 2,772 17-year-olds on welfare.

I spoke to a senior youth worker at the children's aid society here in Metro, and she related that their experience is that it's very difficult for 16- and 17-year-olds to get welfare. In fact, she was concerned about the youths who remain in abusive situations because they couldn't get welfare.

The Harris resolution ignores the fact that most 16- and 17-year-olds on welfare are there for legitimate reasons. What we would encourage is for welfare offices to have the same standards across the province so that we can ensure that the kids who are in an abusive situation are the ones who get the help. It makes far more sense to tighten up the system we have than to impose another expensive burden on the children's aid societies.

The next two proposals, number (8) and number (9), are to tighten up on administration to prevent welfare fraud. Liberals certainly support having stronger controls and managements in place. We fully support reinstatement of home visits, which were done under the Liberal government and ended by the NDP. We would reinstate the verification process that was in place when the Liberals were in government. Liberal policy was that eligibility had to be renewed personally, not doing it by mail, which the NDP now allows.

I was quite puzzled by the omission in the Mike Harris resolution of fingerprinting of welfare recipients. I looked, because that's what Mike Harris said he was going to do, but it was strangely absent. Now, in the first place, I was really surprised that the Conservatives were supporting fingerprinting since I remember Margaret Marland, who is here with us right now, being totally opposed to it at public accounts committee hearings.

I'd like to quote from Hansard of June 3, 1993, when Mrs Marland said:

"I hope we're not seriously considering anything that incorporates fingerprinting. I think we would have an uprising in this province, and I would probably lead it, if we're going to start for any reason other than the reason that exists under the Criminal Code. I wouldn't support anything that was even discussing a fingerprint identification system because I really see that as an invasion of privacy."

**Mrs Margaret Marland (Mississauga South):** That's true.

**Ms Poole:** Mrs Marland today confirms that's how she feels, yet I wonder where the Conservatives are on that, because that's not what the Conservative leader has said. He wants to fingerprint all welfare recipients. But where will it end? Will he want to fingerprint everyone who receives largess or funding from the government? Will he fingerprint seniors? What about the disabled? Will he want to fingerprint everyone with a health card?

The last item on the Conservative agenda is really something we can all support: nutrition programs, literacy, parenting and child support. These are all motherhood issues that for years have had widespread support from members of this Legislature from all three parties.

While there are some things in this motion that I can



support, I cannot support a policy based on selective information, erroneous assumptions and a mean spirit.

Mr Harris assumes people are on welfare because they want to be. Mr Harris has characterized those on welfare as lazy and unmotivated. He should take a look at the profile of those going to the food banks, which the Daily Bread Food Bank distributed last year.

A good education is no longer a guarantee of employment. Having good skills is no longer a guarantee of employment. There are people on welfare who never, ever thought they would be there. They feel demeaned, they feel humiliated and they would desperately like to get off. So we cannot assume, like certain people do, that everyone on welfare is out to defraud the system and out to get what they can from the system when they don't deserve it.

I would bring members back to August 24, 1993, when Mike Harris held a press conference with Helle Hulgaard, a Metro Toronto Housing Authority employee who discovered she could make more on social assistance than on her \$43,000-a-year job. And Mike Harris encouraged her to do this. He said she'd get a better deal on welfare, and he said: "It would be a mistake. Helle wants to work, but who can blame her for seizing the chance to make the same or more money while caring for her children at home?"

Again, in that particular situation Mr Harris's facts were wrong. It was very clearly shown after the fact that the moneys Helle Hulgaard would receive under social assistance did not meet what she would have earned in her job. So she quit her work, supported by Mr Harris, and then paid the price of being unemployed and then wanting her job back.

I will close by saying that Mr Harris said the Liberals did nothing in five years for welfare reform, they just hiked rates. What does he call introducing a winter clothing benefit? What does he call recognizing the realistic cost of shelter; improving benefits for the disabled; signing an agreement with the federal government to assist 20,000 social assistance recipients to prepare and find employment; appointing the SARC committee to review social assistance issues and make recommendations to bring in the supports to employment program, which helped 50,000 people in one year alone? What does he call streamlining existing employment support programs? These are positive initiatives to get people back to work.

We all agree with reform, but not the Conservative reform.

1700

**Mr Cameron Jackson (Burlington South):** I listened very patiently to the debate so far and would like to commend both the member for Ottawa-Rideau and the member for Eglinton for their dwelling on the past, however accurate or inaccurate it was, and taking their 30-some-odd allocated minutes and not once telling us a specific plan that the Liberal Party under Lyn McLeod is prepared to do in Ontario.

I didn't even hear a real recognition that somehow a growth in the payment on welfare benefits in this prov-

ince, that's gone from \$1.3 billion to almost \$7 billion in the last decade, which was predominated by the Liberal government, is a matter of concern for the taxpayers of the province.

But like all Liberal policies, it's long on rhetoric and short on specifics. It's fair ball for them to attack our plan, but we can't attack their plan because they don't have one. We can attack their record, because it's a pretty poor one. There are elements of their past performance which were extremely generous. They were the most generous in all of Canada and they are responsible for making welfare more wide open, more accessible, more inviting to our neighbours, more inviting to our neighbouring provinces, and that has been a cause for much migration to our province because that's what Ontario promises.

It promises for those persons, for whatever reason, whether they don't wish to look for work or whether they can't find work—but if you're in either of those circumstances, boy, Ontario is the place to be. If you call any of the welfare offices in this province, especially in the border communities, they will tell you they're getting routine phone calls from Alberta, from New Brunswick, now from British Columbia, from those jurisdictions or those provinces, saying: "By the way, I'm a single mom with three kids. What are you paying? What's your rate? Do you give the full benefits?" They calculate the differences, and these differences are rather staggering.

Before I get into that, I wanted to comment a bit on a couple of specific statements made by the members for Eglinton and Ottawa-Rideau. The member for Ottawa-Rideau bowls me over when she says, "You know, I think we're going to have to revisit the issue of home visitations." I can't believe it. We argued with the government: "For God's sake, don't abandon this completely. You can't throw a welfare system wide open."

For all that's said and done, it wasn't so much that every person on welfare was given a home visit. The fact is that it was an administrative option for the government, which is charged with the responsibility of administering public funds for the needy, that where there are suspected cases or doubts, a home visit could occur. Everybody didn't get a home visit, but the threat of a home visit sure made applicants pause a few more minutes and give a second thought to what they actually put down on their application for social assistance.

I don't think anybody suggested that every person who requires social assistance must have a mandatory home visit. We don't have the resources to do it. But in jurisdiction after jurisdiction all across Canada they're still doing home visits because the implications are that the threat is there and, therefore, "I'll take a little more time and make sure I got all that information down accurately."

The Liberals also advocated the notion of direct deposit and supported publicly not requiring a permanent address to get social assistance. If you know anything about how welfare is administered around this country, you'll know that one of the fastest ways to check, without a lot of expense—not hiring thousands of welfare police, if that's what the government starts calling them—is

simply to say, "If you want your cheque in the month of November, come to one of the following four auditoriums where you can discreetly come into a line, make an application, show your ID and pick up your welfare cheque."

I don't mean everybody. I don't mean the disabled. I don't mean the seniors. I mean able-bodied, 35-year-olds who've been on welfare for five years, who are employable but who just can't find work.

Why don't we just say to them, as they did in New Brunswick—you know, the more I read about Frank McKenna, I sure wish he was our Premier today.

*Interjections.*

**Mr Jackson:** I kind of like some of the no-nonsense things Frank McKenna has implemented in the province of New Brunswick. He said: "You know, we have such a seasonal jump in welfare," and it's in this couple of target areas of identified groups. "Why don't we hire a few university students who have to pay the increase in the tuition fees that the province now has and let them interview people who come in and pick up their welfare cheques?" Great idea. You know, there was a whole bunch of people who all of a sudden had employment, who didn't come in and get their cheques, who phoned in and said: "Hey, I just was late calling, but I've got a job. Thanks a lot."

The member for Eglinton should remember—now I'm not as familiar with her political career, and I apologize for that, but I know she's served a time on Metro or city council.

**Ms Poole:** No, I didn't. That's false.

**Mr Jackson:** That is false? Then I apologize. I thought you had served in public office before you arrived here, and I apologize. That's why I asked you.

The fact is that the last major postal strike in this province caused a huge uproar with respect to those persons requiring their social assistance cheques. Government, true to form, felt it had to create a plan convenient to those members of the public, so they could find a way to access their cheques as quickly as possible.

Various locations were set up around Metro Toronto for people to come in and pick up their cheques. Well, guess what happened. Thousands and thousands of cheques—not hundreds—not only were not picked up, they were never picked up. As a result, the city was quite thrilled. They saved millions, not thousands; they saved millions. They learned a very, very valuable lesson. They learned that the system occasionally has to have moments where it checks itself.

If there's anything I'm concerned about in the Liberals' approach, it is that I have yet to hear from them how they plan to make the system more accountable to taxpayers, the people who are paying for the social support services in this province. Maybe I could have discussed with them why the government in Ottawa now is saying we are spending too much on social assistance and maybe there should be a time limit on the amount of social assistance.

Quite frankly, I was disturbed to hear—because I didn't want the public confused—that perhaps Jean

Chrétien, the Prime Minister, and the federal Liberal Party were moving closer to Mike Harris's Common Sense Revolution plan. That's a frightening thought, that the Liberals in Ottawa are actually agreeing with Mike Harris that we have a system that requires some major overhauling.

1710

Mr Axworthy has put on a brave face, but we know he had a misstep in the media when it was discovered in a scrum that in terms of these cuts in the billions of dollars—now we're talking the federal Liberal government, cuts in the billions of dollars—in fact he was going to take three years to study it, maybe four years. Right after the next election federally, that's when they'd kick in and that's when the cuts would be felt. That's a typical Liberal plan: "We're going to talk about cuts, but then when you get right down to it, boy, oh boy, not anywhere near an election. We're not going to make any tough decisions."

**Ms Poole:** Why don't you talk about your plan?

**Mr Jackson:** The reason I have to talk about the federal Liberals in Ottawa is because the provincial Liberals here refuse to raise the issues. At least the NDP got up and started talking about transfer payment cuts. They have every right to talk about it. Now that we hear there are going to be more cuts coming, how are we going to deal with that?

Mike Harris has clearly indicated what a first, primary consideration is: that the disabled and our seniors who are receiving these benefits immediately are protected and are removed from this ratcheting down from the federal government. They have to be protected and they will be protected.

The second consideration is that sole-support mothers with children have to be given the opportunity to earn any losses back, and there's a whole series of creative, innovative and supportable ways in which they can do it.

I'll give you an example. We indicated, and we got a lot of criticism for this, that low-income families have specific challenges. Whether it be nutritional, whether it be activation, whether it be academic or educational, support services are required around low-income families with newborn babies, so we indicated that we would put some of the money saving in our social assistance reforms into targeting to get the money to the children.

I want to get the concept across to the members of this House. A welfare cheque or a social assistance cheque goes to an adult in this province and there's no absolute guarantee that the child gets his or her fair share of that cheque. If you want to analyse this issue just from the child's perspective—that's what we've attempted to do in this Common Sense Revolution, because we're saying that part of the topping up is guaranteed access to a series of programs that are targeted at, for and to the direct benefit of those children.

*Interjections.*

**Mr Jackson:** The point is that we have some of these targeted programs. When the government criticizes some of these strategies, I want to remind them that one of these programs is educational programs, almost manda-



tory participation in these programs. I want to let you know, members of the House, that if you take this very interesting document from May 1994, the Premier's Council on Health, Well-being and Social Justice, it's a very good document. I highly recommend it. It deals with a whole series of problems involved with child poverty in this province and in this country, but on page 36 it talks about the specific problems associated with low-income families. I believe that when we in this House and in this report talk about low-income families, we're talking about families who have to live on social assistance. It goes on to suggest that these support programs should be coordinated and implemented and targeted towards the children.

So before the government criticizes—mind you, in fairness, the government really doesn't criticize that part of it very much because they wish they had the money to do it. We're saying we have to find it somewhere else in the system, and we're finding it. We're saying target the money to those children, and not for the 30-year-old or the 25-year-old able-bodied, employable male who quite frankly shouldn't be sitting on social assistance for five or six years.

**Mrs O'Neill:** And they aren't.

**Mr Jackson:** Well, they are. The member for Ottawa-Rideau, listen, you're going to reinstate home visits. Maybe you should reinstate your own homework.

The fact is that the Premier's Council report makes several references to that, and we quite frankly agree. We would support the Premier if he could find the money, but I don't think he has found the money. We're indicating in the Common Sense Revolution where those moneys can be found and where they can be targeted to.

*Interjection.*

**Mr Jackson:** Do you want go over a couple? It seems the Liberals are very interested. In the absence of policy ideas, if they'd listen they might find these quite acceptable. I find it hard to believe that the Liberals—and the member for Ottawa-Rideau herself is a former school trustee. We're putting money into homework assistance centres. She laughs, but maybe when she was a trustee homework was an important issue with her board.

Child support enforcement: We want to strengthen the current legislation and we want to address the whole issue of the Attorney General of this province writing off huge amounts of moneys owed to the minister responsible for social assistance because he's making payments to mothers with deadbeat husbands. I may as well discuss this issue at this point in my comment. When SCOE was implemented, oh yes, it was a great idea and everybody supported it, because deadbeat dads were not making their payments and women in increasing numbers were going on social assistance. The province would make the payments, but it still calculated that this money was owed to the government as it was paying it out because the father wasn't making the payment.

What we're finding out now is that millions of dollars are being written off by the Attorney General for the Comsoc minister, saying, "Fine, you don't have to pay that any longer when you're taken to court for SCOE."

Although the government says it's really committed to dealing with this issue, quite frankly there's a misstep between the two ministries, the judiciary arm and the social assistance arm. The taxpayers are still not being adequately served and the sole-support moms with their children are not being adequately served.

The Liberals are still listening, and maybe they'll pick up some of these ideas and find them of value.

A community nutrition program for school-age children: We think that's an incredibly valid program. I have yet to hear from the Liberals how they overcome this issue of paying out the highest social assistance rates in all of North America and yet kids are still coming to school hungry. The fact is that you have to target the programs to the children, and the Liberals have missed that point completely.

The learning, earning and parenting programs I've discussed.

These are all programs which in fact are referenced in the Ontario's Children and Youth report from the Premier's Council. The Tories are committed to it. The Mike Harris Conservatives are prepared to lay out these programs for full public scrutiny and we're indicating where we'll find the money to implement them.

I wish I had time to discuss the mess that the Liberals in Ottawa are currently making with respect to a whole series of issues around social assistance transfer payments and the very sensitive issue of immigration. Sergio Marchi, the minister himself, has invoked some cross words from Lyn McLeod about the way he's handling certain matters with respect to immigration.

Ontarians are asking legitimate questions about, why is it that we have a federal appeal system for refugees that takes three and four years, with all the appellants, yet they're able to stay in Ontario and receive full social benefits for that entire period of time?

The question really is: Why is it that the federal Liberals have not cleared up this mess? Why is it that we've just discovered immigration files that were never exposed, deportation orders gone missing? What about the level of cooperation between the current NDP government in Ontario with the federal Liberal government, cooperation on the issue of issuing warrants for persons who are evading deportation orders but are collecting welfare in Ontario. There's no agreement or no cooperation between the two levels of government so that we don't tell those people, "You're not to be in this country," but they're still allowed to continue to get full drug benefits and full medical benefits, housing support and so on.

1720

Finally, I want to read very briefly into the record a letter from a constituent of mine, and I received this letter on November 14. It sums up the frustration of far too many of our citizens in this province who are coping with the difficult times we live in. They're coping with them by working harder, but they're confused. My constituent says:

"I'm writing this letter in disgust at our welfare system. I am a single parent on my own with two small

boys. I leave for work every day at 6:30 to support people on welfare.

"I have an apartment in the basement of my home which I rented to a 30-year-old male in April of this year. Since he has moved in he has never paid any of his rent, and when I gave him his 60-day notice in writing"—he'll be moving on November 30. She still has not received a penny.

"I got no rent for October, and now he says that he's being harassed. We are a prisoner in our own home, as the boys are afraid to even be near him. He accuses my children of doing things.

"I phoned the welfare office and was told there was nothing they could do about him not paying his rent. He got a welfare cheque, that was for sure, in the end of September. He got another cheque for GST in the middle of October. There is certainly something wrong with the welfare system. They get free rent, free dental, free prescription drugs, free everything, and I'm going to support this individual.

"In August, I phoned social assistance for some help to pay for my son's medication, which is going to cost me almost \$100 a month. I was told I make too much money. I make \$24,000 a year and I'm raising two boys.

"I have come to the conclusion that I am doing something wrong. I should quit my job, sell my house, hide the money and go on welfare. I'd get a low-rental apartment, I'd get free dental, free prescription, no babysitting expenses. I do want to work and I want to pay my way, but these people are making me feel that I should become dishonest."

The letter goes on, asking would this Parliament please do something about this situation.

I'll tell the member opposite what I think: I think these are the people who are keeping this province together. These are the people who built this province and these are the people who we'd better start listening to, who are asking legitimate questions and will ask more focused questions in the next provincial election. Why is it that we have a system so open and so loose that we aren't truly helping those in real need and yet those who are paying the bills are the ones who are suffering under this enormous burden?

I support the resolution, because it's at least an attempt to get us back on track.

**Mr Gary Malkowski (York East):** I join this debate with a passion to talk a little about the so-called Common Sense Revolution. It's terrible that the Common Sense Revolution, what it truly means, what they're talking about, is the special interests of the business community, the right-wing agenda which would ignore the truly needy in our society, who are the disabled, the senior citizens and the working people of this province, those who do the actual work in this province. So I wish to join in the debate and talk about this.

Let's talk a little about the history of Ontario. We have a collective good in this province. Mr Mulroney, when he was the national government, talked big. He talked about a national day care program. We never got it. He talked and waxed eloquent on free trade and said it would bring

prosperity to this country. It has not. The results are in the negative, and we saw the results of that in the last federal election. People rejected his agenda.

I would say to you that Mulroney's good old friend Mike Harris, who sits across the way, is a promulgator of that very same agenda, and also the Premier of Alberta, Mr Ralph Klein. You can see their records: what Klein is doing in Alberta, what Mulroney did to us federally and what Harris proposes to do to us in Ontario. It's the slash-and-burn policies and turn-your-back-on-them policies, the so-called Mike Harris Common Sense Revolution.

We have a number of proposals to talk back to the Common Sense Revolution on. This documentation is quite shocking, because it's very cleverly, very slyly written. It almost borders on dirty business. It's very, very carefully crafted to convince the people of Ontario to vote against their own interests. But no, we won't let you get away with it. We're going to speak out and we're going to challenge you on this.

You're saying that you want moneys for senior citizens and disabled people to be guaranteed at the levels they are now. You say that, but where is the real protection? You're saying you're going to protect them, but what that really means is that that freezes disabled people in that category and keeps them on welfare forever without any kind of real opportunity for a job. I think that's disgraceful.

To the members of this House and to the people in the gallery, do you remember that in the past we had good Tories? We had red Tories, people like Bill Davis, people like Larry Grossman and others—Andy Brandt comes to mind—who have since disassociated themselves from this so-called Common Sense Revolution. They do not want any part of this. Interesting, isn't it?

Also, we want to make sure that we not see large institutions built for disabled people and senior citizens. You would propose that they be stuck in there and stay there: institutionalized welfare. That's not something we want to see continue. To me this is a human rights issue, and we will speak out against that, just as you have spoken out against the Advocacy Act, which was an act our government brought into law that would guarantee the rights of vulnerable people. You spoke out against that progressive legislation. It's clear you want to institutionalize vulnerable people and want to keep them on welfare.

The document of the Common Sense Revolution and the goal, how you categorize the poor, the middle-income earners and the so-called wealthy—while the wealthy may grow, what in fact will be the growing number is those who are poor, those who are disenfranchised, and the middle class will dwindle away to nothing while the wealthy get wealthier and the rolls of the poor will increase. Income in the pockets of people will dry up under a Tory regime.

We are trying very hard on this side of the House to put people back to work with our Jobs Ontario Training. You're saying that money is just being handed out willy-nilly. We're saying, "No, we have a plan and it's working."



You truly do ignore the participation of disabled people. Disabled people want to work. I'm very proud of our government's record in working with Jobs Ontario Training to ensure that people who are disabled or those who want to work will get work and training. JobLink is another golden opportunity for people to do that. As well, we will work with small business across this province to increase those golden opportunities for people to get back into the workforce.

The so-called Common Sense Revolution, the document, was well done, it was professionally prepared. It looks convincing, it's craftily done, but at the end of the day, it's a continuation of the Mulroney agenda. The results speak for themselves, and people know what those results are.

The situation of what's happening in Alberta: We only have to look to the west to see what Alberta's doing. They've cut back on health care. They want to cut back on just about everything that the common good suggests. People there are having a terrible experience. We're seeing demonstrations there. And that's what they want to bring to Ontario. I show people the experience in Alberta. That is what the Common Sense Revolution will bring to you here. Don't be fooled, folks. Don't be fooled by the so-called Common Sense Revolution.

The goal of our government is a commitment to keep people working, to get people off welfare and to keep people off that chain of dependency. We're very proud of our government's role and our record in getting people back to work.

Both federal governments, the Tories and the Liberals, have cut back on our transfer payments, and others have commented that we are right in our accusations to blame them for that. It's true, because at the end of the day it's the people who suffer. I am very proud that this government has been in office to build a base to help people get through this recession and to get people back working.

1730

We have one of the highest standards of living in the world and we are very proud of that as Canadians and Ontarians. The Common Sense Revolution would remove that. It is going to downgrade everything that we have worked for to the common good. The Common Sense Revolution waxes eloquent, but keep in mind its results. The benefits that we have worked for over the years will suffer. The security and wellbeing of our neighbours will suffer under a Common Sense Revolution.

It's important to protect the rights and security and the wellbeing of the vulnerable, the seniors, the working class, the disabled and those children who are currently on welfare. That is the debate we have before us today.

In my closing remarks, I wish to suggest to the people of this province that you have to look beyond the rhetoric of this so-called Common Sense Revolution and see it as nothing other than a Bay Street right-wing agenda, which it truly is, which was hastily done and dropped down on the desks of the opposition members. It's very harmful to working people, it's harmful to disabled people, it's harmful to the children of this province and it's harmful to the seniors of this province.

That message is going to go loud and clear. The so-called Common Sense Revolution means what? It means nothing but hard times. Tory times are hard times for Ontario. It's true; the wealthy right-wing business class will get wealthier. That is the true message of the Common Sense Revolution.

**Mrs Marland:** I am happy this afternoon to stand and speak on behalf of our caucus and in support of this resolution by Mr Harris. I note that while the member for York East was speaking, nobody interjected. I would like to have the same courtesy extended to me. I have not sat here this afternoon and interjected in anybody else's time and I am down to a mere eight minutes in what is a very important debate.

The member for York East talks about what the Mike Harris government would do. I do believe that when people speak in this House, they should know what they're speaking about. I think it's regrettable that the member for York East has said this afternoon that a Mike Harris government wants to keep people on welfare. If the member for York East had read the resolution, he would have read under item 2, "Move 170,000 elderly and disabled recipients out of the welfare system to a new, separate income supplement program." That is not keeping people on welfare and is doing what frankly should have been done years ago.

There is no reason that elderly people or disabled people should be on a welfare system at all.

**Mr Drummond White (Durham Centre):** Oh no, you're going to cut them off too.

*Interjections.*

**Mrs Marland:** I say to you, Mr Speaker, in spite of the interjections, that it is beyond me to understand how anybody can stand in this House today and defend the present system. How can you defend a system where we have 1.3 million people on welfare? How can anybody defend that system today in Ontario?

We have a system today that is three—

**Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs):** They have nothing. She's attacking the poor. They don't have a voice.

**The Speaker (Hon David Warner):** Order. The member for Lake Nipigon is not seated in his rightful place. Order. I asked him to come to order.

**Mrs Marland:** We all have a democratic right to speak in this House, in spite of the fact that this government continually moves closure on bills so that we don't even get an opportunity to have a normal time span for debate on their legislation, let alone have enough time in committee to move amendments to remedy the legislation, and now when it's an opposition day and we have the opportunity to give our opinion on what today is the priority, which is what to do about the welfare system, they send in a cabinet minister to heckle me.

I guess I should be flattered really, but I think it's grossly unfair that we are not given an equal opportunity to speak without that kind of intervention when the Provincial Auditor identifies \$700 million in welfare fraud and the Liberals and the government members

today stand in this House and defend the system. We now have a welfare system that's three times what it was 10 years ago; three times as many people on welfare as 10 years ago, and double what it was four and a half years ago.

What we're simply saying is that we are not going to carry on with this farce known as welfare. We're going to get the people off welfare who shouldn't have been there in the first place, the elderly and the disabled. They should never have been part of a welfare system.

When the member for York East says he's proud of this government, I doubt very much whether there is any person in the disabled community who is proud of this government. If this government would talk to those people who work with the disabled community, they will know that the disabled community isn't happy either about how the Advocacy Commission and the appointments to it have evolved. That is a story and a debate that would take a very long time.

Yes, there are people in this province who will always need help. There are people in this province for whom we all have a responsibility, but we have to have a better system than the system we have today. We can't kill the work ethic of people while they are still in high school, and if you don't understand what is going on with student welfare, then please go out and speak to your secondary school principals, as I have done.

I can take you tonight to an address in Mississauga where a mother has five young women boarding with her who are on welfare while her own daughter lives across the street on welfare in another house. She has five people in her house who are unrelated to her, each of whom gets whatever the student welfare allowance is, which I think is close to \$740 or \$800 a month, and they choose not to live at home.

Don't we all remember when we were 16 and 17? Probably most of us at some point at that age would have wanted to have left home. Personally, I was working when I was 15½. The point is these children—and they are children today—are being encouraged not to work, and in order to be eligible for welfare, they don't even have a home visit any more. There's no investigation as to what the situation is in their home. All they have to say is they can't tolerate living at home any more.

Well, I'm sorry. I and our Progressive Conservative caucus in Ontario today are not willing to start telling people when they're 16 and 17 years of age that all they have to do is say, "I don't get along with my parents, I can't tolerate living at home any more," and "Okay, you're on welfare," without a home visit, without any continuing monitoring to find out what the problem is, if indeed it is a problem. There are some people who need to be out of their home, but not \$16 million worth in one region. We don't have to tolerate a system where the rest of the people who are working are having to pay this tremendous bill.

If people would concentrate on what the Mike Harris resolution says today, they would see that we were not advocating fingerprinting, as the member for Eglinton said earlier this afternoon; that is not a statement of fact. We are advocating a photo/smart-ID system. I don't

appreciate it when people come into this House for a debate and say there are things in this resolution that are not a fact. They are strangers to the truth, and I do not like that kind of debate.

I will say simply in closing, because of the time, that I believe in the old saying that if you give a man a fish he will eat for a day, but if you teach that man to fish he will eat for a lifetime.

1740

**Hon Tony Silipo (Minister of Community and Social Services):** I am glad to have the chance to participate in this debate and in fact to bring the debate to a close.

I found it really interesting to listen to the speakers from both the Conservative Party and the Liberal Party. There are no Liberal Party members left in the House as I speak; there are still a few Conservative members left. I found it really interesting that when we started out this debate, the leader of the third party, Mike Harris, led off the debate and made some comments about the fact that the Premier wasn't going to be able to be here for the debate, and I think he was here for all of about 10 minutes.

**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker: There are Liberal members in the House, and that cheap shot isn't necessary.

**The Speaker:** The member does not have a point of order.

**Hon Mr Silipo:** Mr Speaker, there are clearly Liberal members in the House now—

**The Speaker:** Order. The member for Burlington South.

**Mr Jackson:** Mr Speaker, it is unparliamentary to refer to the absence or presence of members in the chamber. That is in our standing orders, and I wish the member would respect that. There are a lot of his members not here and—

**The Speaker:** The member for Burlington South will please take his seat.

The member indeed raises a point that it is really not appropriate to identify particular members who are not in the House.

**Hon Mr Silipo:** The other comments would not be acceptable under the rules of the House.

I was also wanting to make the point that I wished the leader of the third party, who expressed such great interest in this debate, had been able to arrange his schedule so he could be here for the balance of the debate, as opposed to the first 10 minutes of the debate, which is all he was present for, given that this is, I believe, an important discussion we are having.

**Mr Stockwell:** That's out of order, isn't it, Mr Speaker?

*Interjections.*

**The Speaker:** Order.

**Hon Mr Silipo:** What I found even more interesting was in listening to what was said in the debate by the members of the opposition. I found it interesting that although we have words in the actual resolution that is before us—



**Mrs Marland:** On a point of order, Mr Speaker: When the minister is absent we do not say he has to be in this House to process one of his bills. We allow ministers to be absent when one of their bills is coming through this House. He continues to criticize the fact—

**The Speaker:** The member does not have a point of order. I ask the minister if he would resist the temptation to identify members of the assembly who are not present in the chamber, and would he now continue with his speech.

**Hon Mr Silipo:** I would be happy, Mr Speaker, thank you.

I will just say that what I found even more interesting was what was said and what wasn't said by the members of the opposition party. When you look at the resolution that's before us, it is a fairly draconian measure that the Conservative Party is presenting. It is quite interesting to compare the words that are printed in the resolution with the statements that were made by members of the Conservative Party; it is as if they are speaking to two different resolutions.

One gets the impression, quite frankly, that they are trying to have it both ways. They are trying to put policies in print which actually put them far to the right of the Reform Party. They present us with some fairly draconian measures that they would take to fix this and other problems that exist, and yet when they stand up and talk they don't talk about some of those measures, and I want to come to a couple of those in particular.

Then I find it really interesting to listen to my Liberal colleagues across the way. There too we heard a mixture, I think, of wanting to blame this government, if I understood the argument, for the fact that we've had in the last three years such significant increases in the caseload, because we heard a presentation of a comparison between the caseloads in past years and the increases there and the increases during the last three to four years, against a number of points made about things that they believe we should be doing, which we in fact are doing. I want to come to those as well.

We have with respect to the social assistance system in this province some significant problems. I, as the minister responsible now, my colleagues previously, the Premier and indeed many members of this government have made it quite clear that we have no interest in maintaining the status quo with respect to the social assistance system. In fact, we believe that very significant changes have to come about and that those changes have to be really based on a couple of fundamental things.

The first is that we owe it to the people of the province to be able to say we have a system that is run as effectively as is humanly possible, and that is what we have been in the process of doing. Secondly, if we can do that, then we can move to what really has to be the significant change in the system, which is to ensure that, on the one hand, people are given the skills and the supports and the training necessary to be able to make the exit from the system and to get, through training and other supports, back into the workforce and back into jobs, and secondly, that families should not have to go on welfare in order to be able to raise their kids adequately.

Those remain for us very clear and fundamental principles and very clear and fundamental objectives, but they're not things we just talk about, they're not things where we say, you know, they're going to happen some time in the future. They in fact are things that we are doing today. There are things that we are doing now that we have done and that we are continuing to do that address the problems and that put us, I think, in a good position to see some of the positive results that we in fact are getting from those particular steps.

We have put into the system a number of measures that fix the various problems that have been there, problems that haven't turned up simply in the last few years. They've become perhaps more pronounced in the last few years, but they've been there since the time the Liberals were in government; they certainly have been there since the time the Tories were in government.

We have put in place under enhanced verification, in effect, stricter rules for people who come and apply to social assistance. They will have to provide more information than ever before in order to ensure they are in fact eligible for assistance. Through the monthly reporting of income, we've added to the security within the system. Through the case file investigation process, we are reviewing each and every file in the system, because we believe that's something that needs to be done in order to be able to say to the people of the province that the system is being run as effectively as possible.

Some of our Liberal colleagues talked earlier about the need for a new computer system. Well, we agree. We're implementing it. By the end of 1995, large chunks of the province will be covered with the new computer system, and by 1996 the whole province will have a new computer system that will link all of the municipally run services and all of the provincially run services in the area of social assistance. We're not talking about it; we're doing it, we're implementing it.

That will allow for information to flow between those two levels of government and will facilitate as we move into one of the other areas, which is the information-sharing agreements between us and other provinces and between us and the federal government, and indeed between municipalities and those other levels of government. Again, all of those are steps we are taking to ensure the system is better run.

We've talked a little bit earlier today about the issue of 16- and 17-year-olds, an issue that remains a very important one, I believe. One could say that the fact that we have this year fewer 16- and 17-year-olds on welfare than we did last year, about 500 fewer than we did last year, might lead us to say that we don't have as much of a problem. But I believe we still do have an issue there that we have to grapple with, and we are.

We will have in place in very short order clearer rules with respect to 16- and 17-year-olds, rules that will delineate on the one hand that we are not supportive of young people moving out of their homes simply because they may have disagreements with parental rules, but that at the same time also make it sure and make it clear that we are going to provide support to those young people who have to move out of the family home for very

legitimate reasons, where there are issues of abuse and other important issues like that. We will make the rules much clearer than they have been in the past under Liberal administrations or under Conservative administrations.

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We have in place now the tightest system of controlling overpayments than we've ever had in this system, and that has been brought about by the efforts this government has taken. Through the family support plan, despite what opposition members would want to tell us, we have in fact increased by over 250% the collection of funds for people on social assistance, and that in turn is reducing the moneys we have to pay out through social assistance.

Through those and many other measures that I could talk at length about, we are managing the system in a far more effective manner than has ever happened before. But we believe the real solutions to the problem lie in doing all of those things I've outlined, but in putting into the system significant measures that get people off welfare and back to work, because that really is the way to grapple with the problems that have caused so far the huge increases in the welfare rolls.

We know those increases have come about because of the economic policies we've seen through previous Conservative governments and continued through previous Liberal governments. We've seen the effects of the free trade agreement, the effects this is going to have and what the recession has caused, and that's why we have so many people on social assistance today.

We are putting a focus on creating jobs. Through Jobs Ontario Training, as we continue to remind opposition parties, 63,000 jobs have been created for people who either are on social assistance or who would very likely in short order be ending up on social assistance because their unemployment insurance benefits have run out. We are saving something to the tune of \$200 million in social assistance benefits as a result of that initiative.

That's an initiative the opposition parties, the Tories and the Liberals, would do away with. When they talk about fixing the problems in the system, they also want to do away with one of the most fundamental changes we've brought about, one of the most fundamental improvements we've put into the system that actually gets people off welfare and into jobs. So let's put the rhetoric together with the facts and let's see who has the record in terms of what needs to be done.

Through JobLink, we are going to be adding to the initiatives under Jobs Ontario Training and we will provide to people on social assistance a number of supports, from basic information and basic supports to increased training and supports that will assist more people to move off welfare and into jobs.

Through STEP, the program that has been mentioned here today, we are assisting some 97,600 people who are either part-time or full-time employed and are also receiving some support still through the social assistance system. We are saving, through that program alone, \$35 million a month or \$420 million a year in benefits which

we would otherwise have to pay if we did not have that program in place. And for the record, the number of people on that program has increased from some 47,000 people when we took office to the 97,000 figure that I outlined.

We have been putting those steps in place, we have been supporting those initiatives and we are going to do more. We're also going to do more to promote self-employment as an activity for people who are on welfare as a way of getting off welfare. We are going to be expanding the job search requirements to say that people who want to spend part of their time volunteering will be able to do that, because we know that is also a fundamental way in which people can gain access back into the workforce.

And we are going to be discussing very seriously positions we need to take with respect to the federal government to ensure that Ontarians get their fair share of funding that other provinces are getting, that we not continue to put up with, as the previous Conservative governments would have had us do and as the Liberal governments have continued to perpetuate through Ottawa, the lack of funding for Ontarians that we see and that we've seen for too long now. It's just unconscionable that the people of Ontario should receive 29-cent dollars from Ottawa when other provinces are receiving 50-cent dollars for the cost of welfare in this country, and that is something we are going to continue to move on.

That's the approach we believe we need to take: to fix the problems in the system, to get people on welfare off welfare and back to work, not to take the kind of draconian steps that Mike Harris, as leader of the Conservative Party, would have us do, which is to cut benefits, to slash benefits by 20%. That is the one thing that I didn't hear any of the Conservative members talk about, but that is at the heart of the proposals that the Conservative government presenting us with this resolution today would do.

They would dismantle the level of support that is provided to the poorest people in our society. If you just think about the fact that some 500,000 among the people who are on welfare are children—

**Mr Stockwell:** This is fearmongering and scare tactics.

**Hon Mr Silipo:** This is not fearmongering. This is taking the information that's in this resolution. They couch it in a way that says they would set the levels at 10% above the national average. Well, that results in a 20% cut in the present levels of benefits, and that means there would be 500,000 children in families whose benefits would be cut by 20%.

What does that mean? What does 20% mean? There are many ways to express it. One way to look at it is that people under the Mike Harris plan would get in effect the equivalent of benefits for nine and a half months, and what the leader of the third party would say to people on welfare is, "You cope by yourselves for the other two and a half months of the year."

That's not what we believe needs to happen. What we believe needs to happen is that the emphasis has to



continue to be put on programs like Jobs Ontario Training, on programs like JobLink, which have as their purpose getting people off welfare and back to work, providing that link between training and jobs, creating jobs, as we have been doing as a government directly and indirectly by creating a climate in which jobs can be created in this province, and by continuing our efforts to ensure that the system is run as effectively as it can be.

Those are the things we are doing. Those are the things we are going to continue to be doing.

**The Speaker:** Mr Harris has moved opposition day resolution number 1, a resolution which stands in his name. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; a five-minute bell.

*The division bells rang from 1758 to 1803.*

**The Speaker:** Would all members please take their seats.

All those in favour of Mr Harris's resolution should please rise one by one.

#### Ayes

Arnott, Carr, Cunningham, Eves, Harnick, Harris, Jackson, Johnson (Don Mills), Marland, McLean,

Murdoch (Grey-Owen Sound), Runciman, Sterling, Stockwell, Turnbull, Villeneuve, Wilson (Simcoe West).

**The Speaker:** All those opposed to Mr Harris's resolution should please rise one by one.

#### Nays

Abel, Bisson, Boyd, Bradley, Brown, Buchanan, Callahan, Carter, Charlton, Christopherson, Cleary, Conway, Cooke, Cooper, Coppen, Dadamo, Daigeler, Duignan, Farnan, Fawcett, Fletcher, Frankford, Haeck, Hampton, Hansen, Harrington, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lankin, Laughren, Lessard, Mackenzie, Mahoney, Malkowski, Mammoliti, Marchese, Martel, Mathysen, McClelland, McGuinty;

Miclash, Mills, Morin, Morrow, Murdock (Sudbury), O'Connor, Offer, O'Neill (Ottawa-Rideau), Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Poole, Pouliot, Rae, Rizzo, Ruprecht, Silipo, Sullivan, Sutherland, Swarbrick, Wark-Martyn, Waters, Wessinger, White, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 17, the nays 75.

**The Speaker:** I declare the resolution lost.

It being past 6 of the clock, this House stands adjourned until 10 of the clock tomorrow morning.

*The House adjourned at 1807.*

## ERRATUM

No.	Page	Column	Line	Should read:
155	7663	1	9	Provincial Auditor, Mr Erik Peters.

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Clerk/Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms/Sergent d'armes: Thomas Stelling

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Algoma-Manitoulin	Brown, Michael A. (L)	Halton North/-Nord	Duignan, Noel (ND)
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Brampton South/-Sud	Callahan, Robert V. (L)	Hamilton Mountain	<b>Charlton, Hon/L'hon Brian A.</b> (ND) Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
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Brantford	<b>Ward, Hon/L'hon Brad</b> (ND) Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances	Hamilton West/-Ouest	<b>Buchanan, Hon/L'hon Elmer</b> (ND) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
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Carleton East/-Est	Morin, Gilles E. (L)		
Chatham-Kent	Hope, Randy R. (ND)		
Cochrane North/-Nord	Wood, Len (ND)		
Cochrane South/-Sud	Bisson, Gilles (ND)		
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Guelph	Fletcher, Derek (ND)		Mahoney, Steven W. (L)



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Prescott and Russell / Prescott et Russell Prince Edward-Lennox- South Hastings/ Prince Edward-Lennox- Hastings-Sud Quinte Rainy River	Poirier, Jean (L) Johnson, Paul R. (ND)  O'Neil, Hugh (L) <b>Hampton, Hon/L'hon Howard</b> (ND) Minister of Natural Resources / ministre des Richesses naturelles	Simcoe Centre/-Centre Simcoe East/-Est Simcoe West/-Ouest Sudbury Sudbury East/-Est Timiskaming Victoria-Haliburton Waterloo North/-Nord Welland-Thorold Wellington Wentworth East/-Est Wentworth North/-Nord Willowdale Wilson Heights Windsor-Riverside	Wessinger, Paul (ND) McLean, Allan K. (PC) Wilson, Jim (PC) Murdock, Sharon (ND) Martel, Shelley (ND) Ramsay, David (L) Hodgson, Chris (PC) Witmer, Elizabeth (PC) Kormos, Peter (ND) Arnott, Ted (PC) Morrow, Mark (ND) Abel, Donald (ND) Harnick, Charles (PC) Kwinter, Monte (L) <b>Cooke, Hon/L'hon David S.</b> (ND) Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'oeuvre
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S-D-G & East Grenville / S-D-G et Grenville-Est St Andrew-St Patrick St Catharines St Catharines-Brock St George-St David	Villeneuve, Noble (PC)  Vacant Bradley, James J. (L) Haeck, Christel (ND) Murphy, Tim (L)	Yorkview	Mammoliti, George (ND)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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**Resources development/**

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Larry O'Connor, Yvonne O'Neill, Tony Rizzo, Jim Wilson  
Clerk/Greffier: Douglas Arnott



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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Thursday 17 November 1994

# Journal des débats (Hansard)

Jeudi 17 novembre 1994



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers

*50th anniversary*

**1944–1994**

*50<sup>e</sup> anniversaire*



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 17 November 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 17 novembre 1994

*The House met at 1001.*

*Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS RECREATIONAL VEHICLES

Mr Brown moved private member's notice of motion number 51:

That, in the opinion of this House, the government of Ontario should change the present Off-Road Vehicles Act, 1983, to grant the users of three- and four-wheeled all-terrain vehicles the same rights and privileges, combined with the duties and obligations, as listed in the Motorized Snow Vehicles Act, RSO 1990.

**The Deputy Speaker (Mr Gilles E. Morin):** You have 10 minutes to make your presentation.

**Mr Michael A. Brown (Algoma-Manitoulin):** I want to say at the outset that this is an important and significant motion, particularly as it applies to northern Ontario. It is an issue that has been with us for going on 10 years, an issue that affects the way of life we have in northern Ontario, a way of life that is important and includes the use of crown lands. I think that's one of the things we must be very clear about. This resolution relates particularly to the way that northern Ontarians and Ontarians from southern Ontario, and for that matter people who are visiting our province, utilize crown land, which represents 85% to 90% of our province. That's my concern.

My concern relates directly to ATVs, the three- and four-wheeled variety. I don't think members maybe are aware, but there are somewhere in the neighbourhood of 100,000 of these ATVs presently being used in this province. Now, the three-wheeled variety mentioned here have not been sold new in the province since 1988. There are some issues about safety that relate more to the three-wheelers than to the four-wheelers, but I think although the resolution talks to three-wheelers, the four-wheelers are the only ones that have been sold new since 1988.

This resolution comes from my good friends at the Espanola Game and Fish Protective Association, who have been working at this issue on behalf of hunters and anglers and outdoors people across the province since about 1986.

I want to quote here a letter from the minister of the day in 1986. He says, regarding this act, "The act has now been in force for over two years and its provisions, including the use of these vehicles on certain public roads, are currently under review." Under review. Sometimes the most terrifying words we ever hear in this place are "under review." I have a letter from the Ministry of Transportation dated February 10, 1994. It indicates that, again, the program is under review. So the ministry has only been reviewing this for close to 10 years and has yet to address the problem.

The problem is a problem of access and it's a problem of safety and it's a problem of recognizing the realities in northern Ontario. The use of ATVs in northern Ontario in particular is something that has been going on for quite a while. It's a way of life for many sportsmen. It's a way to get to their favourite places for fishing, favourite places to hunt, to birdwatch and, yes, even to sightsee.

The problem is—well, there are a couple of problems. One of the problems is definition. I'll get to that in a minute. But the problem is in the definition of "highway." Really, we think of a highway as the 401 or the 400 or Highway 27 or Highway 4. We find, if we read the definition, that the definition is not that at all, although it includes that. The definition of "highway" includes a "street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof."

"Therefore"—this is from a letter from the ministry to the Espanola club—"when you request the right to travel on access roads and secondary gravel roads, according to the act, these are highways."

Well, in northern Ontario, they're not highways. They're roads. Sometimes you might even classify them as paths. Particularly in the spring, when we have frost boils and all the interesting things you get in spring breakup, the only way to get to your cottage or your camp is by these ATVs, particularly if you happen to be a person of advancing years, a person who is perhaps disabled. There's only one way to get in there. No longer can you walk that 10 kilometres, no longer can you ski 10 kilometres, no longer can you get in under your own physical power. You need a machine, and this is the only machine that will work.

So it makes perfect sense for the ministry to address this issue. It makes perfect sense if we believe that Ontarians should have access to the crown land and that they should have access to the crown land regardless of their ability to walk, run etc.

These ATVs are already licensed. They already are heavily insured. They are far more visible than the snowmobiles that we talk of changing the act to reflect. They have good braking, they have superior steering to snowmobiles, and therefore, in our view, are a safer vehicle than a snowmobile. And yet the way we regulate them, they are not permitted to do the same things as snowmobiles. Certainly we don't want snowmobiles or ATVs on travelled highways. It would be dangerous for everybody. But that's not what we're asking. The snowmobile act regulates which highways you can go on, which you can't, and we think that could be extended through to this act.



I want to suggest also, as has been suggested by my friends, that this act would permit the safety concerns to be directly addressed. This law is presently probably obeyed more in the breach than actually in the way it's enforced today, because people are using these roads. They are technically using them illegally. The enforcement really can't happen. What we want is an act that will be respected and that will permit the formation of clubs, as they have with snowmobiles around this issue, and permit people then to address those various safety concerns that snowmobilers have been actively working at for the last 10 years, I suppose, in this province.

1010

The other thing the act would do, the other part of this act, is that it would give municipalities the opportunity to regulate in their own municipality how these vehicles would operate. It would allow the municipalities, for example, to say: "On this particular road, you can use these machines in a certain way, in a certain place, and you must drive this speed. It can only be used on these days. It can only be used between these hours." Because especially in my part of the world, often the crown land is directly adjoining a municipality. Often, to go the 100 yards from your house to the crown land where you're permitted to use the machine, you have to load it into the back of a half-ton, you have to drive it that 100 yards, park the half-ton truck, leave it at the side of the road where it stands a good possibility of being hit by another vehicle, and then you take it into the bush. It makes absolutely no sense.

Now, the safety concern that I think we'll hear from the government, which I realize is a very substantial safety concern, is the fact that these machines have low-pressure tires. That makes them unsuitable for driving on paved roads, for example. It's quite dangerous to use them at any kind of high speed on paved roads. We don't want that to happen. Nobody's asking for that to happen. What we're talking about is access roads, bush roads, those types of things, and what I'm attempting to do in the little bit of time I have to make this resolution is to support Miroslav Welyhorskyj in my riding, the Ontario hunters and anglers association, and all those who want to see a reasonable regulation of these vehicles, as they say, which number 100,000 now in this province and have been growing. That's a growth of about 80,000 vehicles in 10 years. So it's a growing concern in the province.

It's time the minister stopped reviewing this and got down to making reasonable regulations that can be enforceable and will work for the safety of all concerned.

**Mr David Turnbull (York Mills):** As Transportation critic for our party, I'm very pleased to join this debate and compliment my colleague the member for Algoma-Manitoulin in bringing forward this motion. It's overdue.

As he's outlined, the Ministry of Transportation has been considering this for 10 years. In the meantime, we have had extensive use of snowmobiles with the ability to be able to cross roads at a time when we're saying that these vehicles will not be allowed to cross the roads. As he has adequately pointed out, many of the roads that we're talking about are little more than trails themselves,

and yet they are municipal roads and therefore these are prohibited from use on those roads.

Clearly this is a case where we should give more responsibility to the municipalities. They know their local conditions a lot better. Many of my constituents go hunting and like to be able to use these vehicles to get in. They also go sightseeing and there are many cottages which are inaccessible in the springtime except with these vehicles because it isn't realistic to use any other vehicle at that time of the year. It certainly enhances tourism in this province. Certainly in northern Ontario it is absolutely the only vehicle that is suitable at some points in the year.

We should indeed have one set of rules which are consistent for both these all-terrain vehicles and snowmobiles. Snowmobiles are less visible than these vehicles and, in fact, snowmobiles have less sophisticated steering and braking systems than these vehicles. It has been pointed out that there are some concerns with the three-wheel all-terrain vehicles, but in fact they're not sold any more and they will become less and less of a factor, so it makes sense to include them in this legislation. But indeed, four-wheel ATVs are much more stable than the previous three-wheel vehicles.

The safety issue is something the government has not addressed in any serious way. They've said there's a safety issue and yet they have never come forward and told us what the difference is between these and snowmobiles. Indeed, in a brief from the Ontario Federation of Anglers and Hunters, which they put forward on February 26, 1991, they emphasized the importance of having a consistent set of guidelines.

Certainly I will be supporting this, both for people who live in northern Ontario and also for tourists who like to get into inaccessible places.

**Mr Daniel Waters (Muskoka-Georgian Bay):** I, too, would like to join in the debate. I will be supporting the resolution, but I do have some concerns. First off, I think we have to have the discussion happen and then we can start to deal with some of the concerns.

As a person who has worked quite actively with the snowmobile groups, one of my chief concerns is private land. When you take a snowmobile and you put it on three feet of snow and cross a person's property, you really don't damage the property. If you take the four-wheel, all-terrain vehicles across private or public property, they create an erosion problem. One of the things I believe, whether they be on the roads—because they're not only going to stay on them, they're going to move off the roads and into crown land and on to private property.

First off, we have to know how to shut down that property so that it's only winter use and also how we're going to protect our crown lands. We don't want to see them eroded away. I believe those things can be dealt with through discussion and maybe through some form of organization, as we have with snowmobiles, where we have the Ontario Federation of Snowmobile Clubs.

The other thing I would like to talk about is the safety aspect. I think that's why it is so vital that we move

forward on this and have the discussion. There are really no rules on safety and no organization out there working towards making this sport or this type of recreation safer.

Hunters use ATVs out there. They don't wear helmets. They're bouncing over logs. They're doing a lot of different things on them. It's rather difficult to fire a rifle when you have a bell helmet on. I think we have to look at the safety aspect as well as looking at where we want to take this recreation. I think it's a discussion that we have to have.

As far as allowing ATVs to run on rural roads in the province of Ontario, I can tell you that where I live in the rural area of Muskoka, they pass my door on the roads every day and so definitely these people—some of them are wearing helmets, other ones aren't. Some are riding two and three people on these machines with their feet dangling down beside the wheels. We have to come up with some sort of standards and some sort of rules to make the sport at least as safe as snowmobiling is for that particular winter type of off-road activity.

I will be supporting Mr Brown and his motion and, at the same time, I think all members of the House should work together for going ahead with this to look at how we're going to deal with some of the concerns that are out there in the more populated or more privately owned sections of the province where this recreation has grown at a remarkable rate.

With that, I would conclude my comments on Mr Brown's resolution.

1020

**Mr Sean G. Conway (Renfrew North):** I'm pleased to join with my other colleagues from York Mills and Muskoka in supporting the resolution brought by my friend the member from Algoma concerning the ATVs. I was upstairs watching the member from Algoma bring forward his resolution. He's left for the moment, but have you noticed—none of this will make much to many of you—Mike Brown looks like a young John Robarts. I was watching him on television and he does, he just looks like a young John Robarts and he brings the same good sense and wise counsel on matters of public policy, including the resolution today.

I was pleased to hear not just Mr Brown but the member from Muskoka—I should be careful here not to be breaking the rules—but the members, Mr Waters from Muskoka and the Conservative Transportation critic, Mr Turnbull, bring their words of support as well.

I represent a big slice of rural eastern Ontario, part of which includes the district of Nipissing. Mr Speaker, I very nearly touch on your wonderful summer resort up there in Papineau township which, however, does fall into the area represented by Mr Eves. But you, Mr Speaker, will know, as I'm sure many members here—I see the member for Hamilton East and the member for Sudbury conversing over there. My friend the member for Hamilton East has a cottage in my part of the world. He's I think quite familiar with the pattern of activity in rural and northern Ontario that involves ATVs.

It's hunting season in the Ottawa Valley and much of the rest of the province. I dare say that if I were to go

out this afternoon on a beautiful November day and look at the forest access roads in Renfrew county, as my friend from Montague township, the member for Lanark-Renfrew will know, I am almost certainly going to encounter more than a few ATVs, as hunters—good people, law-abiding people—are going about their business.

Technically, the law does not permit much of the activity that normally and naturally occurs, and I wholeheartedly agree with the resolution brought forward by my friend Mr Brown, the member for Algoma-Manitoulin because, among other things, it seeks to legitimize and regularize and legalize very normal, natural activity that occurs in rural and northern Ontario.

It's hard, I know, sometimes for members who represent urban communities, in Metropolitan Toronto, Hamilton-Wentworth and Ottawa-Carleton, to understand just exactly what the rhythm and the reality of rural life is, and I point out again, it's hunting season.

It would behoove a lot of urban members from southern Ontario to come into midnorthern and northern or southeastern and southwestern Ontario to watch just exactly how hunting season works. I myself am not a hunter, but I know that thousands of my constituents, this week and last, are engaged in one of the really important recreational pursuits of the season.

Increasingly, as technology develops, and as Mr Brown the member who's bringing forward this resolution has pointed out, as our population ages, 65- and 75- and 80-year-olds, men and women, who want to continue doing what they have done for decades, rely upon ATVs to move them and their materials about.

I don't know, Mr Speaker, you probably have had the experience that I have not had of trying to bring out a moose that has just been shot in the back of some quite inaccessible part of your hunting zone and I'll tell you, you want to be about as fit as Mr Brown and Mr Waters are to do that. I couldn't. I would certainly need the help and the support of an ATV. As the sponsor, Mr Brown, has pointed out, under the current rules, ATVs are not allowed to travel across forest access roads, bush roads and the like, and that is simply not sensible. It's not reasonable. It violates what good law-abiding people in my part of eastern Ontario know to be sensible. I recognize that there are, as the member has indicated, concerns about safety and they have to be addressed.

Snowmobiling: I see the member for Muskoka-Georgian Bay who's done much good work in supporting our snowmobiling industry and he knows that a lot better than I. Certainly 25 and 30 years ago, and even today, there are still some unresolved snowmobile safety issues, but we have made progress.

Again, I think it is very much a concern to me to find out that the current rules, as they relate to ATVs, force people to behave outside of the law. I don't think we want that. I think we want to recognize that ATVs have become a very important part of rural life and, again, not just for young people but perhaps, most importantly, for older people. I get really annoyed when I hear some of my yuppie friends, some of whom are 35 and really fit, who think that the only kind of recreational experience



you ought to have is one that really often involves and requires the fitness of being 30 years of age.

I think some of our park policy, for example, is quite discriminatory in an unintentional kind of way. To meet somebody who's 58, who's really been a very active, outdoors person but who's had a heart attack, is to meet somebody who's pretty frustrated with some of the barriers that are placed in front of that individual because of some of the rules and regulations that we've had.

I want to say, on behalf of the thousands of people in Renfrew county whom I'm proud to represent, along with my esteemed friend from south Renfrew and Lanark, that they would want me, as their member, to support this resolution, to say to the government and to all members of all parties here today that it is not fair to not allow legally the use of ATVs on bush roads and forest-access road, and to provide the kind of protection this resolution calls for under the Motorized Snow Vehicles Act.

As my friend, Mr Brown, has indicated, what we really want to do, in bringing forward this resolution, is to regulate ATVs in the same way that we regulate snowmobiles. There are protections built into the existing statutes as they relate to what snowmobiles can do and where they can go, and we want those same kinds of protections to apply, perhaps with some adjustment and amendment, to ATVs.

I take my seat saying that I'm proud to support this, because we have a situation today which is not sensible and is not comfortable for a lot of people who recognize that ATVs are increasingly important in terms of their recreational lives. They are now being used in record numbers and my law-abiding constituents, along with tens of thousands of others, would want this Legislature to recognize that reality and to legislate in a sensible and fairminded way. That's what this resolution brought forward by my friend the member for Algoma-Manitoulin calls for, and that's why I'm happy and proud to support it.

**Mr Allan K. McLean (Simcoe East):** I'm pleased to rise this morning and briefly comment on this resolution from the member for Algoma-Manitoulin, which calls on the provincial government to "change the present Off-Road Vehicles Act, 1993, to grant the users of three- and four-wheeled all-terrain vehicles the same rights and privileges, combined with the duties and obligations as listed in the Motorized Snow Vehicles Act, RSO 1990."

I will be supporting this resolution, because ATVs are growing in popularity. They're here to stay and are currently being used on gravel, farm, logging and access roads as well as on town lanes and bush trails.

It's my understanding that currently only farmers and licensed trappers are granted an exemption for travel-related work with regard to the farms. I know we have one on our farm. They want to make limited use of public roads for trips related to their livelihood, and they're allowed to do that. All others are only allowed to drive directly across the highways.

It's my hope that if this resolution is supported it will lead to the creation of ATV clubs, the development of ATV education courses and the establishment of a code

of ethics and a form of self-policing that occurs with the operation of motorized snow vehicles. The ATV operators would then be responsible for duties and obligations such as yielding right of way. When they make turns they will have to signal. Everything to do with safety would all be part of what would be in this act.

#### 1030

I'm confident there will be a great coexistence between ATVs and motorized vehicles provided there are appropriate rules and regulations in place that are strictly enforced. We want to stress the fact that the safety aspect of ATVs should be number one, where we're stressing the use by licensed drivers with proper safety and road ethics training, as well as the appropriate safety equipment. Individual municipalities too could pass bylaws governing travel routes from towns, flags, speeds and times to be off or on the town roads.

This matter closely resembles my ongoing campaign to promote boater safety and education on our waterways. I realize that my proposed boater safety and education legislation cannot govern an individual's behaviour or attitude while driving a motorized vessel, but it would establish educational safeguards and set forth regulations whereby an individual could be charged and convicted if that individual's behaviour or attitude endangers public safety. I'm an avid boater and I enjoy operating ATVs. I have one.

Mr Conway mentioned about the hunters being in the bush and on the rural back roads. I never thought I would see the day that we needed tough regulations to impose on operators, but the carelessness and what goes on I think causes that to change. In part, the responsibility of this Legislature I think is to make sure that safety is the number one promotion.

The number of motorized snow machines in the last years have increased drastically. Sales are up. Controls are in place. Snowmobile clubs across this province are making great use of the trails that are being established. Not only that, there are many people who are joining these clubs to make it a more viable and safer sport. The same thing should apply to the ATVs, because there are going to be more of them used all the time. There are more of them being sold. They tell me there are about 80,000 all-terrain vehicles registered in Ontario, and that's expected to increase dramatically.

The Ontario Federation of Anglers and Hunters some time ago saw the need and they were the ones who initiated this. The original resolution came from members in the Espanola area. So they are well aware. If you travel the north and you see the vast lands that we have, they are being used more all the time. It's a wonder it took so long for them to get these in the first place, because these machines are great.

I believe in safety. I believe in the helmets that you have to wear when you're operating them, because that is the number one priority. To be debating it here today is something that is long overdue because of the safety features and the need for protection in the north, and not only in the north but in all parts of the province.

The Ministry of Transportation argues that ATVs are

not stable enough for roads and highways. They are concerned that they would be a danger in mixed traffic as well. Well, isn't that what this debate is all about, to try to bring these aspects out in the open so that they will have some input from the members in different parts of this province, so that there can be some rules and education put in place for the safety measures that we need?

I compliment Mr Brown from Algoma-Manitoulin on bringing this resolution forward, because there are many hunters in the area where I hunt. I know they have to use the roads in some cases and we want to have them insured. We want the safety features to be part of it. When we look at some 100,000 of these vehicles scattered across the province, we know there is a need.

The book in my machine tells me that they are not to be operated on a paved road, and there is a difference when you're operating them on a paved road and when you're operating them on a gravel road. A lot of people don't realize that. They think the paved road would be the best, but the gravel road is the best because of the large tires. They only hold three and a half to four pounds, each one of them; that's what you're supposed to put in them. So it is a low pressure tire.

But the aspect of the ATVs is great. If you have the occasion to shoot a moose back in the bush a mile or two, the ATVs are certainly an asset to getting it out. As Mr Conway indicated, you have to be in pretty good shape to take a moose out of the bush, but the ATVs can certainly help you do that.

So I compliment the member for bringing this resolution forward and I look at the safety aspect that the ministry will be looking into for people in Ontario who are operating these, because it is important that their education and safety be number one.

**Mr Mike Cooper (Kitchener-Wilmot):** I'm pleased to rise today in support of the member for Algoma-Manitoulin's resolution. I think it's about time governments starting working together. I'm glad he brought this forward because it seems we have a myriad of rules and regulations. Some cover cars, some cover motorcycles, some agricultural vehicles, some snowmobiles, and I think what we're all trying to do now is to get some consistency out there so that we all know exactly what rules and regulations we're following.

I come from the north. I was raised up in Larder Lake, which is a bit farther north than Manitoulin, and I also have a sister-in-law who lives on Manitoulin Island. I understand there's a large difference between the way people in southern Ontario think and the reality in the north. I think the member for Renfrew North explained it very well, that there is a real difference out there. Basically what you're doing is finding that a lot of people are breaking the law because they really don't know the rules and regulations that they have to abide by.

One of the things I'd like to address here is the Slow-Moving Vehicle sign. I know when the member for Essex-Kent brought this issue up and I spoke on it, what we're trying to do is find some consistency so that when you're out on the highways you know exactly what a slow-moving vehicle is. Basically what they want to do is have it so that everybody in southern Ontario, when

they go into the north or when they go into a rural area, knows exactly what they're following when they see a slow-moving vehicle. So perhaps we can get some consistency.

I know Ontario Drive and Gear, the makers of the Argo all-terrain vehicles in New Hamburg, which is in my riding, had a problem a couple of years ago where there was something going on in the government and they didn't really know whether it was going to come to fruition. There was talk that they were going to outlaw these. Well, the fact is, a lot of people who aren't in very good shape but still are active hunters need a way to get into the bush to get their game out. So there was great concern there.

We need some consistency where we know exactly what rules we are following. I think the member for Algoma-Manitoulin is looking at this, trying to get some consistency so the people know exactly what rules they're following, so they aren't out there breaking the law every day and they know what rules and regulations they have to follow.

I think the safety features have to be built in. As with anything, somebody eventually makes it into a sport, and if it's just recreational and you get a sport—I know I've been doing a lot of things on motorcycles and now they're trying to get a sport where they're trying to get off-road tracks basically for recreation out in the woods so they can ride through. As long as it's organized, then you don't have the problem with crossing private property. We've got to get these rules together.

The same with these. There was a concern that people might be crossing private lands. If you look at what the snowmobilers have done across this province, they've gotten very well organized. They've made arrangements with certain property owners and they've set up some trails and now they have a real recreational thing that brings in lots of dollars for this province in tourism because they're travelling around. They're very well organized and they do a lot of charity work. I think the same thing here. This is probably what it will evolve into.

**1040**

Obviously, they've said the government's been studying this for about 10 years. I think that's what happens; the government does study a lot of things to death. But it seems like each one is operating in a vacuum and I think it's about time they started having some consistency across ministries. If we're going to talk about any off-road vehicle, such as the snowmobile, the three-wheel vehicle or the four-wheel vehicle, let's try and do it in some sort of sense of cohesion so that we get a rule and regulation that applies to them all, that they all know exactly what they're living under.

I'm very pleased to support the member. I wish him well in this resolution and I hope the government reacts positively on this and we get some rules and regulations that we all know what we're going to be following and we don't make the honest citizens be out there breaking the laws. They'll know exactly what rules they have to follow.

**Mr Frank Miclash (Kenora):** It gives me great



pleasure as well, as a northerner, to rise in support of Mr Brown's resolution. As you noted, the previous speaker from Kitchener-Wilmot just indicated that he was from the north way back. I must say that as a member of this Legislature for the past seven years, as I travel across the province I only meet two types of people. Those, of course, are those people who are from the north and those people who wish they were from the north. I just wanted to let him know that.

The previous speaker also talked a lot about consistency. In bringing this resolution forward, Mr Brown has indicated that yes, of course, we need consistency in terms of the Off-Road Vehicles Act, 1983. I must say, representing the second-largest riding in the province, that being the northern riding of Kenora, this is a very important resolution to not only my constituents but to a good number of people who visit the area.

As the Speaker will know, I have actually been involved in this sport and have been the owner of three-wheelers in the past and have come to know exactly what they can do and the use that they can be of to us as residents there. But again, I go back to the visitors who come to northwestern Ontario. I often think of Jones, Ontario, which is located north of Kenora, and a function that is run out of there, a hunting camp, Rocky Lake Camp. I note the number of people who come up from the northern states to the south of us and partake in the hunt which goes on on a regular basis every year. As well, there's a good number of folk who use these vehicles in that area for both sightseeing and to get into their favourite fishing lakes; so a great amount of activity and great amount of importance to see this come forth, particularly in my area.

The figures have been tossed around as to the number that are registered in Ontario. I believe it's growing to somewhere around 100,000 of these actual ATVs registered in Ontario, but I must say that does not include the many that are brought into the province as well, as I indicated, by the tourist sector that comes in to my area of the province. After 1988, we know that these have been changed. There has been a safety regulation added to ATVs where the three-wheelers are no longer manufactured. As a previous owner, I can certainly testify as to why that would be and know that we are going to have to have some sort of regulation come in to actually identify what we are talking about here, and some safety regulations to go along with it.

The member for Muskoka-Georgian Bay talked about helmets earlier on. It is my understanding that at the present time helmets are mandatory in terms of riding these vehicles, as they are in terms of riding snow machines.

I go back to the people who particularly need this type of transportation in order to carry on maybe their hunting activity or fishing activity into their later years. I quite often come across a good number of people, whether they be disabled or elderly, throughout the riding who are making good use of these.

We've heard about the Ontario Federation of Anglers and Hunters as well. They too have a very distinct interest in this resolution that we are putting forward today. They have indicated a good amount of support for that.

We come from municipalities that have had regulations in terms of where snowmobiles can travel, the times they can travel, the speeds they can travel within their municipalities. I can see that they too would have a very distinct interest in the resolution.

We talked about the definition of highways and we indicated earlier that the definition included access roads and secondary gravel roads throughout the province. I must say that if you took a look at my riding you would find that well over 50% of the travelled portion would include both of these, so that's another reason why we must include this portion of users of these ATVs in the act.

When we go back to the actual history of what has happened in terms of inclusion of the ATV in the act, we take a look at the history going back almost 10 years to find out that yes, there has been a review, and again, as some of the members have indicated, when you hear that word "review" you sort of shudder. I must say that finding something like this under review would fly in the face of what people in, as I indicated earlier, the Ontario Federation of Anglers and Hunters, the municipalities and the tourist operators are trying to do to bring organization to this industry and to the use of these.

I look forward to the support that I can give this resolution on behalf of my constituents and, as I indicated earlier, representing the second-largest riding in the province of Ontario that really depends on the folks who are using the activities brought forth to us by tourism, by hunting and by sightseeing. We depend a lot on not only the snowmobile industry, but what Mr Brown has also asked to include, the four-wheelers.

I talked about anglers and hunters earlier on. There is also another helpful aspect to this resolution to many cottage owners who are now moving on to crown land, whether it be a crown land lease through the Ministry of Natural Resources or actually owned property, a remote cottage lot, and they too have come to depend a great amount on the ATVs that we are talking about, just another group within my constituency that will be looking forward to the consistency that this resolution will offer them.

In concluding, I would just like to thank Mr Brown, the member for Algoma-Manitoulin, for bringing forth this resolution. I too will have no problem, on behalf of my constituents in the Kenora riding, in supporting the resolution that Mr Brown has brought forward today.

**Mr Leo Jordan (Lanark-Renfrew):** I am pleased this morning to also support the resolution of the member for Algoma-Manitoulin. I would just like to draw the people's attention, however, to the fact brought forward by the member for Muskoka-Georgian Bay regarding their use on private property.

I know in Renfrew county we have acres of pasture land that cattle are grazing on from early May to late October. During the summer months, when these machines are of great use to the cattle owner in that he can go to the pasture and go among the cattle slowly and check them out for pink-eye, hoof rot or disease or whatever, or to just measure the general gain, it's going to be a real service to him.

But to the person who is just out trespassing, and I know you say, "Well, that's illegal, to be trespassing," I can tell you from experience that just putting up a No Trespassing sign does not stop these vehicles from coming in on your property. Once they spook the cattle by speeding among them and see them run, then they tend to take that up as a form of sport to see how far they carry it on. This has happened in some instances to the point where, on a hot day, the cattle run out of breath and certainly sickness sets in and sometimes even death.

We say, "Well, there are regulations for that." But I'm concerned, who is going to do the policing? Who is going to be the one who keeps these machines where they are meant to be and being used for the real purpose?

I just feel that what we're doing here in this resolution is legalizing what's already taking place. People are using these on the roads and for hunting. If my friend the member for Simcoe East ever invites you to go fishing, don't turn him down, because he gets you across the ice on one of these machines and he makes sure he has the necessary medicine with him for cold days and you can have a very enjoyable day with him. So I wouldn't want to say that to use them off-road would be wrong; the municipalities, I know, are the ones that should have the legislation to control them, but it's going to be difficult.

1050

I would like to have some control that they would have to form clubs or something like the Ski-Doo clubs have done, because some of the Ski-Doo clubs don't like these machines on their trails either, for some reason. I'm not that familiar with why. As they came through, I know in one instance the snowmobilers had been crossing the property and they returned very faithfully, put all the fences back up in the spring, put on a dinner for the property owners and everybody has good relationships.

But then, two weeks or a month later, along comes one of these other machines and they are following the trail, so they take down the fence and they come through, following this trail. The farmer or whoever is using the land doesn't realize it. He had checked it once and everything was back in place, so he put cattle in. The next thing, there's a problem in that they're out on the road or they're in the neighbour's. So I can see a big responsibility coming down on the municipalities to try and control this in such a way that it's useful to everyone as a sport and as a means of transportation.

**Mr Len Wood (Cochrane North):** I'd just like to say that I'm pleased the member for Algoma-Manitoulin has brought forth this resolution. There's no doubt that over the last number of years things have changed, technology has changed, where you see more and more three-wheelers and four-wheelers out there. The resolution is basically saying to change the present Off-Road Vehicles Act, 1983, and give the same privileges and rights combined with the duties and obligations listed in the Motorized Snow Vehicles Act, 1990.

Representing a northern riding, and some of the areas are remote, going up the Hudson Bay coast and James Bay coast, I know the way that snowmobiles and three-wheelers and four-wheelers are used. In a lot of cases they're used to replace, in the urban and country areas,

where we would see a pickup truck used, because they're able to use the four-wheelers to put a sleigh behind and haul the firewood for the seniors in the community, because there are a lot of them who still have wood stoves for cooking and for heating the building.

There's no doubt that there's going to have to be a dialogue and some discussion and negotiation as to how we can make changes, whether we allow municipalities to make their own bylaws and regulations to bring the three-wheelers and four-wheelers under the regulations of the Motorized Snow Vehicles Act. I'm sure this dialogue probably should have taken place before now, but I'm pleased and sure that it's going to take place with a resolution of this kind.

All the speakers today have come out supporting and realizing that the member for Algoma-Manitoulin has had a lot of dialogue with the hunt and fish clubs and with the various municipalities and townships and county members out there, and as a result he's brought this forward to the Legislature, asking that the Minister of Transportation take a look at this and see if we can have these regulated so that they will be safe for everybody out there. We take into consideration that some of the previous speakers have said that if there's going to be damage done to private property or if there are animals being run by it, that we make sure we have the regulations in place so that we can protect property owners but at the same time make sure that for the people who need them, whether it be industry, sawmills, pulp and paper mills, whatever, these vehicles are out there in large numbers and are being used.

I'd just like to conclude by saying that I will be supporting this resolution and looking forward to some dialogue and negotiations with MTO to make sure that the changes take place.

**Mr Gordon Mills (Durham East):** I'm pleased also to join in this debate this morning. I'm going to support the member across the way there for a number of reasons. The member of the official opposition has already spoken on some of the things that I was going to say about this bill. It's always one of the tragedies—no, that's too strong a word. It's one of the upsetting problems that when you speak after somebody, they've said many of the things you want.

I want to talk about how this reflects on senior citizens in the province of Ontario, being as I am one of that kind myself, and I always like to stand up for their rights. Senior citizens, as the honourable member said, still enjoy their pastimes, their hunting, their fishing. I'm not going to suggest you're in that category, Mr Speaker, but as we get older, we find it more and more difficult to walk across the hills and dales to pursue some of those places that we hitherto before had enjoyed. I know that no matter how we get older, how much we try to keep fit, it's very, very difficult because it's an aging process that seems to catch up with all of us. No matter what our diet is or how we try to remain spry, somehow nature won't allow this.

So I encourage this bill. I think that it would enable the older citizens to still pursue and take part in many of those activities they have enjoyed for so many years, and



I know I speak for many, many seniors in my riding who still enjoy hunting, fishing and the likes that this type of vehicle will allow them to pursue. My congratulations to the honourable member. I think it's good legislation and I will stand in my place later this morning and be supportive of that. Thank you for this time.

**Mr Brown:** I appreciate very much the contributions that have been made by the members for York Mills, Muskoka-Georgian Bay, Renfrew North, Simcoe East, Kitchener-Wilmot, Kenora, Cochrane North and Durham East. I didn't hear anybody objecting to what we are trying to do here.

What we are attempting to do, and I'm hopeful we'll have a unanimous vote later on this morning, is to get some regulations that can be obeyed, enforced and that will make life safer and also permit people to do what they should be able to do in Ontario's outdoors.

I think I should, in speaking, relate that there is some difficulty. I heard some members talk about the private lands issue, and that of course is an enforcement issue. It's an issue that really isn't addressed in this resolution, but it's one that needs to be addressed. It is now not legal to do that. It shouldn't be legal to do the things the member for Lanark-Renfrew and Mr Waters, the member for Muskoka-Georgian Bay, were talking about. We don't want those things to happen.

But I think right now I want to pay tribute to those good folks in the Espanola Game and Fish Protective Association, and particularly Miroslav Welyhorskyj, who has doggedly, since 1986 at least, pursued this issue and tried to get the government to move. The government I hope will pay attention to what the members are saying this morning and bring forward the appropriate changes in a reasonable time frame so that we can move on with this issue so that people, the sportsmen in this province, have an opportunity to continue to take advantage of Ontario's great outdoors and all the benefits that brings to them and that it be done legally, sensibly and safely.

**The Deputy Speaker:** Time for the first ballot item has expired.

1100

ENDANGERED, THREATENED AND  
VULNERABLE SPECIES ACT, 1994

LOI DE 1994 SUR LES ESPÈCES VULNÉRABLES,  
MENACÉES OU EN VOIE DE DISPARITION

Mr Wiseman moved second reading of the following bill:

Bill 174, An Act to revise the Endangered Species Act and to protect Threatened and Vulnerable Species / Projet de loi 174, Loi révisant la Loi sur les espèces en voie de disparition et visant à protéger les espèces vulnérables et les espèces menacées.

**The Deputy Speaker (Mr Gilles E. Morin):** Pursuant to standing order 96(c)(i), the honourable member has 10 minutes for his presentation.

**Mr Jim Wiseman (Durham West):** I'd just like to begin by saying that a form of this bill was originally introduced in 1992 and didn't make it through the proroguing of the Parliament that year, but I've brought this back in a rewritten form having received countless

suggestions from a large number of people who have an interest in this topic.

They made the bill stronger so that the version that is before this House now is a reworked version of the earlier one. It has gone through a long history of evolution. In fact, my honourable colleague Bud Wildman originally introduced a bill similar to this back in the 1980s and it's been some time since we've been moving forward.

The need for a bill like this has been outlined prior to this, and the government of Canada has given a commitment to the people of the world, at the Rio de Janeiro conference of 1992, that endangered species legislation would be passed in this country. As yet, that has not happened, but I believe that Ontario, which has shown the way in many other areas, should show the way on this.

The bill itself, in terms of my own education, has come about through a large number of people in my own riding who have educated me and helped me understand the issues. I'd just like to name a few of those and hope I don't miss anybody.

Originally, the move towards a private member bill began in Catherine Murray's kitchen. Catherine Murray has worked very diligently to save the Altona forest and is a member of the Federation of Ontario Naturalists. I've worked with Dale Hoy, who lives in the Ajax portion of my riding and has been very involved in species protection locally and has contributed a great deal. Also, Steve Marshall and Glen De Baeremaeker of Save the Rouge. I've met with John Lounds of the Federation of Ontario Naturalists and I've also had the honour and privilege of meeting with World Wildlife Fund.

We've come to this point where we have this bill. So why do we need a bill like this? This is a very long topic, but I'm going to try and summarize it in a very few phrases. I'd like to read just a little bit from the Federation of Ontario Naturalists and its comments on my bill, the bill that is being presented today. "Ontario endangered species legislation has not been revised in 14 years." In fact, Ontario does have an endangered species legislation now. This bill goes one step further and talks about threatened and vulnerable species so that we can intervene earlier to prevent them from getting to the point where they are endangered.

This is from the World Wildlife Fund: "If enacted the bill would represent a major step forward for the protection of the many species of wildlife which are now at risk in Ontario." That's from Stewart Elgie of the Sierra Legal Defence Fund. It says, "Most importantly, the legislation includes protection, not only for endangered species but for threatened and vulnerable species and for their habitats as well. This would help ensure that species are protected before they reach the brink of extinction." Currently, there are approximately 258 species that are endangered in Canada today.

This is from the Canadian Nature Federation, Canadian Parks and Wilderness Society, the Sierra Club of Canada, the Sierra Legal Defence Fund, the Union québécois pour la conservation de la nature and the World Wildlife Fund. It's the Canadian Endangered Species Coalition. They say

why we need a bill like this: "Most people are shocked to learn that Canada has no federal legislation to protect species at risk." They go on to say, "Without a immediate legal protection, we'll be faced with expensive critical care measures as the only option to save many of our ecosystems." The coalition is calling on the federal government to live up to its commitments under article 8 of the Rio convention. If one remembers, that convention also called upon the provinces to pass legislation to protect endangered and threatened and vulnerable species. They say, "Canada will lose its leadership position on the international scene if it doesn't start implementing the convention which it signed over two years ago." That is, again, from the Sierra Legal Defence Fund.

What will my bill do? What will this bill do once it becomes the bill of Ontario and becomes the form of protection? It will enable the Lieutenant Governor in Council to make regulations around the protection of species. It will allow them to declare any species or any animal or plant to be endangered if on the basis of biological assessment and research the species is determined to be at risk of extinction by reason of the following: destruction of its habitat, overexploitation, disease, the trading in animal parts or the deterioration of its habitat.

It was raised just a few moments ago by one of my colleagues—in fact, it was the member for Muskoka, who so kindly let me have this time period to bring forth this bill—that we have a problem in that we have external species threatening the environment and habitats of our indigenous species; for example, zebra mussels and purple loosestrife. It should be noted that the Canadian defence group has held a press conference this morning in Ottawa. While I don't have the exact details of everything they said, it would probably, in my assumption, be that they would be calling upon the federal government to do what article 8(k) of the Rio de Janeiro act has asked them to do. I'm looking forward to finding out exactly what they have to say.

Also, this bill would give the minister the right to create recovery plans, to set out ways of rehabilitating areas for the species and would move very quickly to prohibit the buying and the selling of parts and the trading of parts, but would continue to license those domestic suppliers that are raising plants and animals for commercial use. It wouldn't be an ending to the commercialization of the use of animals, but it would certainly protect the animals at risk.

We hear so much today. I think the World Wildlife Fund of Canada has hit a nerve here by publishing a book called *The Economic Benefits of Conserving Canada's Endangered Spaces*. They want to increase the amount of parkland area available in Canada, but the species that are in those areas are absolutely crucial because of the role that they play in the entire ecosystem. They talk about the economics in this publication and the contribution that is made in tourism; in animals and plants being part of the food chain, our food chain; the snowmobiling; the amount of money being spent on wildlife photography. They really raise a good argument, an economic argument, that not only protecting the

environment is good for us as human beings within an ecosystem, which is an argument that is important in itself, but that within the context of our economy it's absolutely crucial that we continue to defend and protect our environment.

There is also another reason that I think is important: We have seen that within the ecosystem we receive a lot of our drugs and medicines from the natural environment. For example, I first became acquainted with this through the periwinkle from Madagascar and how some of that plant has been instrumental in curing a very rare form of leukaemia or cancer. If we continue to destroy these species without knowing what they contribute to us in this regard, then we lose a huge potential in the future.

I ask all members of this House to support this bill, to give it speedy passage and put Ontario and Canada back in the forefront of endangered species protection and legislation, and protect the environment and the ecosystem within which all of us live, work and enjoy our lives and standard of living.

1110

**Mr Michael A. Brown (Algoma-Manitoulin):** I am pleased to rise this morning and indicate—and I always think an opposition member should do this right off the top so that the government member who proposes this legislation is not held in any kind of suspense—that we are supportive of the principle of this bill. We too are very concerned about the endangered species and we realize that the present act is inadequate.

Having said that—and that's usually the way opposition speeches go—I want to quote to the members a copy of letter to Mr Wiseman from the Canadian Environmental Law Association. It says:

"Dear Mr Wiseman:

"We are writing to congratulate you on the introduction of Bill 174, which contains a number of important and long-overdue reforms to Ontario's endangered species legislation.

"Given the urgency of reforming the existing Endangered Species Act, we are somewhat surprised that Bill 174 is proceeding as a private member's bill rather than as a government bill. Nevertheless, we request that the government and opposition parties work towards the expeditious passage of Bill 174.

"While we support Bill 174, there are minor amendments that we would suggest to improve the effectiveness of the bill. Accordingly, we would suggest that Bill 174 be referred to committee following second reading of the bill."

That is our attitude. They make two good points here. The first point is that this should be a government bill. While we applaud Mr Wiseman for raising it in the House this morning, you will recognize that we have but one hour this morning to debate this on second reading. A bill of this magnitude potentially means to Ontarians a great step forward. But also, as with anything, there is sometimes the law of unintended consequences. It needs a full debate in the Legislature. This morning, in the space of one hour, we are supposed to be, on a major piece of legislation presented by a private member, giving



it full debate. I don't think that's possible.

I think it's necessary that we have a committee hearing so that we can determine what the possible downsides of this bill are, if any, where improvements could be made to this bill, if any. We have the Canadian Environmental Law Association suggesting that there are improvements that need to be made and that they should be made. I am just indicating here that while we are supportive, we want this bill to go to committee, we want people to be heard on this bill, so that we don't have some of the ramifications that are happening around this province as we speak.

As Mr Wiseman pointed out in presenting this bill, it follows on the steps of something like Bill 232. Bill 232 was introduced by the member for Algoma, Mr Wildman, in June 1990. As we know, Parliament did not sit much after that date. There was an election and, lo and behold, Mr Wildman became the Minister of Natural Resources, the minister responsible for the Endangered Species Act. What happened? Nothing; zero; nada. Out of that regime, out of the time that Mr Wildman was the Minister of Natural Resources, he presented but one bill to this House under the name of the Minister of Natural Resources and it was this one. It was Bill 162, An Act to amend the Game and Fish Act.

Do you know what happened to this bill? It did not even receive second reading. There was nothing happening with this bill. Some members say, "Thank goodness," and that may be true, but some of the things that Mr Wiseman was talking about—for example, in this bill we talked about the selling of animal parts illegally; there needed to be some control. This bill addressed that particular situation. But the Legislature did not address this bill. There was never a debate. There were never public hearings. So the only bill that the government had presented to do with natural resources, following upon Mr Wildman's Bill 232, did not occur, did not happen; it was a total wipe-out.

Then in November 1992 we had Mr Wiseman presenting a very similar bill to the House to the one he's presenting today. Apparently Mr Wiseman lost that bill because he didn't get on the order of precedence, as we know around here, and he had to replace the bill, after the Legislature prorogued, with Bill 174. That's why we're here today.

I'm very surprised that Mr Wiseman has to take these initiatives and the government won't. The problem is that a bill of this magnitude proceeding as a private member's bill does not have the same opportunities and the same input that it would if the government were sponsoring it. I can see some problems with this bill. I just know.

There's something in this province called the wetlands policy. The wetlands policy is a good idea conceptually. Where the rubber hits the road, it is not necessarily a great idea. I have met, as many of my colleagues have met, with people throughout Ontario who were amazed to find just recently that they got rebate cheques in the mail on their property taxes. Why did they get those? They didn't know. Then they discovered that they were the proud owners of wetlands and, because someone in MNR had decided they had wetlands, that their property value

had gone down. They didn't even know and they're not even sure they have a wetland.

The mapping in these cases has been not very good. Wetlands have not been properly identified, and land owners are now getting a rebate because the price of their property went down. But that will have cost people in Ontario millions upon millions of dollars in property value, and there's no way to appeal this. If the district biologist says it is a wetland, how do you fight that? I'm not sure.

Now that we're steamrolling Bill 163 through here, an act that amends the Planning Act, among other things, the wetlands policy becomes even more onerous on individuals. We have a policy that makes perfect sense: We've got to protect Ontario's wetlands. Nobody disagrees with that. But where the rubber hits the road, where people are dealing with this on an individual basis, we have a situation where millions upon millions of dollars are being lost to individuals without compensation of any kind and you are having to deal with a Natural Resources bureaucracy where you have to argue with a biologist about whether you have a wetland.

My colleague from Cornwall was telling me the other day that he himself was out walking a field that had been designated a wetland. Well, that field was a field. It was a productive agricultural field, and had been for many years. It had been taken out of production for a short period of time. It had grown up with things that perhaps farmers don't want, but it was as hard as my desk. It was not a wetland by anybody's definition, but it could no longer be farmed; it had been decided that it was a wetland.

We've got a good idea here in terms of wetland policy, but as it comes down to deal with individuals, there are mistakes of huge magnitude about identification of wetlands and there are huge costs to individual property taxpayers and owners who are not being reimbursed in any way by the public.

I saw a study the other day, and I forget the numbers, but I think it's about \$10 million that this wetlands policy is going to cost private individuals. I don't think we as legislators wanted that to happen. Certainly I didn't. Certainly anybody involved here, I don't think, wanted it to happen, but that's what happening out there.

1120

That's my concern with this bill. If we go through this bill in committee and ask for proper public hearings, we can ensure that those kinds of mistakes in big government and big bureaucracies, which conceivably could surround what is a very good idea put forward by Mr Wiseman, I think could be avoided and we could proceed.

I'm sure that if the government would like to take over this bill, it could proceed in a way that we would find more satisfactory from our point of view, and I'm certain other members would, because it puts the resources of the Ministry of Natural Resources and the Ministry of Environment and Energy and any other ministry that we need directly behind the proponent and gives you all the resources of the bureaucracy to identify concerns, to identify what problems might happen and to suggest ways

of improving the legislation with the full power or ability of the province of Ontario to look after that.

As I look at this bill, I see a bill with a title that sounds terrific. I don't know how anybody could oppose a bill that is going to protect endangered species. I'm standing here as the critic for Natural Resources for the Liberal Party when actually at this very second I should be downstairs in one of the committee rooms going through clause by clause on Bill 171.

The bill has a great title. How could you be opposed to the Crown Forest Sustainability Act? Forest sustainability. That's got to be perfect; you've got to be in favour of that. But do we have an act that does that? We don't. The act doesn't define what sustainability is. We don't know. It doesn't set goals. It's worse, in the opinion of most people. People from the environmental community, people from the industry, people from virtually anything to do with the forests of Ontario, are opposed because it doesn't contribute to sustainability.

For people in the north, the bill calls for a huge transfer—\$100 million to \$200 million—from northern Ontario to the south. There will actually be less money spent in the forests of Ontario once it's passed, and yet the government calls this sustainability. I mean, how could you not do that?

I guess I'm just suggesting today that the principle of this bill sounds fine, but then we look at other government actions, especially those in the Ministry of Natural Resources over the time of this government, and say to ourselves: "Whoa, you really haven't done what you said you were going to do. The legislation has huge flaws in it, costs many people a great deal of money and accomplishes often the exact opposite of what you're intending to do." That's happened in a number of instances already. I've outlined them with the wetlands policy. I've outlined them with the forest sustainability act. Good ideas, but the legislation accomplishes exactly the opposite at tremendous cost to the people of Ontario.

I would suggest to Mr Wiseman, since Mr Hampton only sits four or five seats down, you should talk to Mr Hampton and have him put the weight of the Ministry of Natural Resources behind this bill so we can get the expertise of the bureaucracy fully behind it and so members of the opposition will be able to question those members of the bureaucracy when it gets to the committee stage.

Mr Wiseman should perhaps also understand that if he does that and has his government adopt the only piece of environmental legislation it has had anything to do with, he may be able to go out in the next election and actually campaign as an environmentalist instead of with a bag over his head, as most New Democrats should have to do in terms of their record on environmental concerns.

While we support the principle, we've got a lot of problems in understanding the various parts of this bill. We think Mr Wiseman could do a good thing and talk to his own minister, who just sits a short way away, have him adopt the bill, let it go through the process in a reasonable sort of fashion and then maybe we'll have a good piece of legislation that is long overdue.

**Mr Noble Villeneuve (S-D-G & East Grenville):** I rise today to express some concerns with Bill 174, serious concerns that I would like to put on the record.

I personally will not be supporting this legislation, firstly because the Ministry of Agriculture, Food and Rural Affairs does not appear to have had any input whatever. This government did extend the official title of the Ministry of Agriculture and Food to include Rural Affairs, and this has very much to do with rural affairs.

Interestingly the NDP, particularly when in opposition, have always tried to wrap themselves in the environmental flag and claimed a monopoly on environmental sensitivity. Of course, no one has a monopoly on this. I think we're all very concerned. The gist of the legislation, to protect endangered species, is a very motherhood issue. Of course, we all want to protect endangered and vulnerable species—no doubt about that—however, at what cost?

There is existing legislation in place now, and I just wonder if Bill 174 will strengthen what's already in place, or does it simply provide some window dressing to show the concerns of the government of the day regarding endangered and vulnerable species?

I certainly can understand my colleague from Durham West bringing it forth a bill such as 174. He's involved with many environmental groups, a lot of them urban-based. However, the problem goes way beyond the urban fringe in that it's something that does and will occur almost entirely in those areas that are not urbanized at all.

Bill 163, for which I notice from the order paper today closure is being brought in, encroaches very dramatically on the rights of property owners. My concern is that Bill 174 would probably be in a position of basically doing the same.

I had the opportunity of sitting in on some of the hearings of the justice committee on Bill 163, and I have here a presentation to that committee from the Ontario Woodlot and Sawmill Operators Association. They are based across Ontario; however, they are quite predominant in eastern Ontario. Their concerns with Bill 163 would be exactly the same as they would be with Bill 174.

I realize that in agriculture, herbicides and pesticides particularly are used, and we have the travesties that were caused by DDT. I know we have some falcons, some cranes and a number of reptiles that are endangered. However, going from there to encroaching on the rights of property owners—yes, we must protect these species as best we can; big fines will be in place—the challenge is to pinpoint the culprits and bring them to justice, which is a story in itself.

We have to agree with the purpose of the bill, but to a certain extent we're already doing what this bill calls for under the current Endangered Species Act. Yes, this will reinforce and bring it up to date, but will it really do what it's supposed to? That's our concern and my personal concern. Under the agricultural and natural resources policy, which methods will be used and how do we identify the species that we will be managing and attempting to support and to render less vulnerable or less



endangered? That is not very well spelled out.

A status report shall be prepared on proposed species prior to final declaration. How many species will be covered in total? Who will decide what is an endangered, a vulnerable or a threatened species and what remedial action will be taken, remedial action within the environment, and then the encroachment on this remedial action as it will affect property land owners?

1130

It's interesting that in the wilds of Ontario, the managed woodlot tax rebate was all of a sudden cancelled by this same government—

*Interjection.*

**Mr Villeneuve:** We're not sure under what pretext. It never did come to this Legislature.

As the previous participant in the debate was speaking of, lo and behold wetlands show up particularly throughout eastern Ontario; large tracts of land which all of a sudden wind up designated as wetlands where the use of the property is very limited and the value of this property, according to some of the people who made presentations, not only was reduced but cut in half in many instances, and in some instances there's really no effective market value because no one wants to purchase this land.

In Bill 163 we have a sort of predecessor to Bill 174, and in 174 we have to agree that yes, we must protect these endangered species. However, at what cost? That is the concern I have. Within what limits would an order-to-cessate activity occur?

What if the beavers all of a sudden wind up being declared a endangered species? We all know what a beaver dam in backing up water can do to a woodlot. It absolutely destroys it completely. If some of the wildlife people decide that beavers must be protected, for whatever reason they've become endangered, we have a major problem, because we have beavers in eastern Ontario and indeed throughout Ontario, but particularly in eastern Ontario, that are called nuisance beavers. Municipalities at this point are having some difficulty just keeping up with the destruction of some of the dams that have been created where entire large acreages of woodlots would be destroyed and would be destroyed very quickly, once they come under water.

The designation of wetlands has been a travesty, because many people were not even aware that their land had been designated a wetland. In the rural economic development report that our party has recently put out, we've addressed the provincial wetlands policy, and I will quote just a bit here, because we had very concerned land owners in rural Ontario that made presentations to our task force, indeed telling us the travesty and the very real suffering that these people have had financially because of the designation of lands.

"In July of 1992 this government released a new provincial wetlands policy. Opposition to this policy has been intense, particularly in" the area you and I, Mr Speaker, come from, "eastern Ontario.

"Under the new policy, wetlands classified as class 1, 2 or 3 are categorized as 'provincially significant.'

Classification of wetlands is determined by the Ministry of Natural Resources evaluation system. In the Ottawa-Carleton region, approximately 3,000 private land owners are affected" directly by wetlands or the buffer area adjoining them.

"A class 1, 2 or 3 wetland designation on private property virtually freezes that property for future development purposes. Along with the classification of the actual wetland itself, the Ministry of Natural Resources established a 120-metre (400 feet) buffer zone," which is treated exactly as if it were wetlands.

The Ontario Progressive Conservative Party would have a very serious look, and this is our policy.

"The wetland policy is the product of an unbalanced political process—it has recognized the benefit of wetlands but failed to recognize the staggering economic loss that wetland owners are forced to endure." That is from the Association of Rural Property Owners.

Our commitment to the review and restructuring of the provincial wetlands policy will be a priority if the Progressive Conservative Party of Ontario forms the next government. We have it down in black and white.

**Ms Evelyn Gigantes (Ottawa Centre):** Shame.

**Mr Villeneuve:** It's not a shame, property rights of people. I am not ashamed to tell you that I protect the property rights of people. I have no hesitation. I also want to protect some of the endangered species, but I have no problem protecting the property rights of the taxpayers of Ontario.

I could go on considerably but, in its present form, I personally will not be able to support Bill 174.

**Ms Jenny Carter (Peterborough):** I really welcome Bill 174 and I congratulate the member for Durham West for bringing it forward. I think I shall take rather more of an overview than we've had in this debate so far.

This is an issue which pits individual and special interests against the common good. Certainly the member for S-D-G & East Grenville has underlined this in his defence of property rights, but I would like to bring forward something which has been called the tragedy of the commons. This was explained as being, for example, if you have grazing land on which different people graze their cattle, if one person increases his herd because he personally is going to profit from that, he will indeed profit but at the expense of leading to the collapse of the whole setup so that there will be no future grazing for anybody, and this is the kind of thing we could be looking at here.

Human beings are damaging the wildlife around us in three principal ways, which of course sometimes do overlap, but I'd just like to point out what those are.

Some species are at risk because they're valuable and therefore they get exploited for private gain. For example, as technology progressed, the once plentiful northern cod which first brought Europeans to Canada couldn't keep up with the efficiency with which they were being exploited. Nearer home, species after species of Great Lakes fish were fished out, and those who profited left very little for those who came later. Buffalo became buffalo robes and piles of bones and a memory.

Secondly, of course, pollution is deadly to wildlife. Rachel Carson blew the whistle on toxic chemicals in her seminal book, *Silent Spring*, in the 1960s. Since then, DDT and other toxic substances have been controlled, but inadequately tested chemicals or even chemicals known to be toxic continue to be released into air, soil and water and to become part of the food chain. Rising cancer rates and reproductive problems in wildlife and in the human population are the result, and we have a new and intractable disease which is a sensitivity to chemicals in the environment, which means some people have to withdraw to a controlled environment in order to survive.

The third and perhaps the most important way in which we damage wildlife is sheer takeover and destruction of habitat. Displaced plants and animals can't just pick up and go somewhere else. That isn't how it works.

All of these three things will continue to happen on an increasing scale if nothing is done. Some restrictions are in place but we need more. Humanity has almost succeeded in conquering and taming the world and its flora and fauna, including, funnily enough, other human beings. Territory occupied by aboriginal peoples worldwide has been drastically eroded and their lifestyles threatened or destroyed. Grizzly bears are at risk because they have to be kept separate from people.

1140

Does all of this matter? Well, of course it does. Modern civilization is less obviously dependent on the wildlife of this earth than past societies have been, but the dependency is still there and some of the ways in which it is so are only beginning to be understood. Psychologically, spiritually, as well as physically, we're an integral part of the totality of life that has evolved on this earth, which has been called Gaia, notably by Dr James Lovelock. Gaia is a complex self-sustaining feedback mechanism. We don't now and never will understand Gaia completely and how it works. If we damage the equilibrium of this wonderful and complex system we could set off uncontrollable, vicious spirals of change. We may even have done that already.

What has all this to do with the loss of whooping cranes or frogs or beluga whales? Well, firstly, I would say we need them all as part of our shared world, but secondly, we should remember the miner's canary. If the canary keeled over dead, the miner knew he had to take action to save himself. Whatever is affecting amphibians like frogs, for example, worldwide affects us too.

This bill extends the range of the Endangered Species Act and provides for preventive and corrective action and for fines and imprisonment for non-compliance. It is necessary and timely. This is, as I said, a clear issue where the good of all has to transcend the selfish acts by individuals and groups. There can be golden eggs for all if no one kills that golden goose.

Certainly we need biological diversity to maintain and improve the quality of our lives, and the loss of wild species of the few main crops of the world that the world depends on, such as wheat and corn and rice, has already put our food supplies in jeopardy. The more complex these matters become the more we depend on them, for example, hybrid varieties, the more at risk we are for

diseases that could wipe out a crop worldwide. We must have that genetic diversity there to guarantee our own survival.

But I see the destruction of life around us also as a kind of blasphemy. Our culture and traditions, whether it's stories or literature, songs, visual arts, the toys we give our children, and even the structure of our language, or a total environment in which we can get away from buying and selling and recreate ourselves, all depend on the living things around us.

Canada already lacks biodiversity because of its harsh conditions and very harsh climate. This makes for a fragile ecology where loss of one species can trigger serious consequences. We do have legislation, but as pressures increase it must be updated. It is not adequate to the needs of the present.

I should point out that, although Canada has a relatively small population in a very large area, we have developed extravagant lifestyles that means we put demands on, for example, the water supply, which has meant that we are looking at problems even in this huge country which has more fresh water, I believe, than any other country in the world.

Now, we do not have to sacrifice quality of life. There are many ways in which we can maintain that quality and yet reduce the pressure that we're putting on the world around us.

I particularly commend this bill in that it provides for an advisory committee that ensures broad public input. Where we have public participation we are going to get better results than if this is just something that is left to government and bureaucrats. Eighty three per cent of Canadians believe that we should protect endangered wildlife. I had hoped that everybody in this House would support it. Unfortunately, I understand that the third party is putting the narrow, short-term interests of private property ahead of this much larger issue that we have here.

**Mr David Turnbull (York Mills):** Once again the NDP is being highly judgemental before they listen to all of the arguments, which is fairly typical.

I intend to vote in favour of this bill because I'm certainly very concerned about the biodiversity that we have not just here in Ontario, but indeed throughout the world. I can't help remarking that perhaps the most endangered species is sitting across the benches from me today, but that would be partisan and I'll leave this.

It's absolutely essential that we have laws which ensure that all of the species we now have are protected. We know there are many species that have been lost this century which probably held the key to some breakthroughs in medicine, and we must halt this erosion. We've got to stop the wanton destruction of wetlands, and in fact of any habitat of fauna and species, animals and fishes, which make up our biodiversity.

But I am concerned about the severity of the penalties which are contemplated in this bill, and I'd like to just read from the section which deals with those. It says: "Any person other than a corporation who contravenes this act or the regulations, or the terms and conditions of



an authorization, is guilty of an offence and on conviction is liable to a fine of not more than \$100,000 for each day on which the offence occurs or continues, or to imprisonment for a term of not more than two years, or to both."

You have to wonder what this government is doing. Over and over again they have brought forward important pieces of legislation in the guise of a private member's bill. The minister responsible for this, in opposition, was always talking about the bills he would bring forward, and he has done nothing. Instead, he relies on a private member's bill which gets minuscule study.

I want to juxtapose those fines with something from the report *Environmental Convictions in Ontario, 1992*. I note that St Andrew Goldfields Ltd, on October 30, 1992, was ordered to pay a fine of \$16,000 for spilling mine tailings contaminated with cyanide into the North Driftwood River. Some 55 million litres of untreated mine tailings escaped, and during the three days following the spill, cyanide levels were 10 times higher than provincial water quality guidelines. The judge in the case noted that the company's mine manager was largely responsible for the spill because he failed to keep senior management informed of the problem at the site, and he was fined \$1,000 for his role in the offence. So \$16,000 to the company for a spill which lasted three days where the cyanide levels were 10 times the acceptable level, the manager fined \$1,000, and yet here we've got a bill which contemplates fines of up to \$100,000 per day for the individual and \$200,000 a day for the corporation.

If the government wants to set a whole new direction in protecting the environment, let them spell it out in a government-sponsored bill. I too am concerned about protecting the environment, but I'm also concerned about protecting private property rights, and there can be no doubt that the NDP and indeed the Liberals over the years have consistently eroded private property rights.

1150

**Mr Gordon Mills (Durham East):** It is indeed an honour and a pleasure to rise in my place this morning to speak to my colleague's bill, Bill 174, An Act to revise the Endangered Species Act and to protect Threatened and Vulnerable Species. I've encouraged my colleague to pursue this to the utmost—not that he needed much encouragement, because his stance as an environmentalist and an activist is very well known throughout his riding. Nevertheless, I've tended to encourage him to pursue this.

I was interested and I find it rather saddening when politics is introduced in a debate about this. I heard my colleague across the way from the third party talking about standing in his place protecting the rights of property owners etc, almost like the wetlands were encroaching on property owners and somehow doing them a dis-favour. I think it's absolutely scary that today, 460 acres—and I prefer to call them acres because I'm from yesteryear when we hadn't got into the hectare business—every minute of every day of every year are being paved over. That in itself is a threat to the survival of so many of our endangered species.

Everybody goes around and they wonderfully wear the panda in their lapel to signify their concern about endangered species. Everybody says, "Oh, yes, we've got to

protect this little animal." It's wonderful how people seem to respond to the cuddly creatures of the world. They get it in their hearts, "Oh, these lovely cuddly creatures, we've got to protect." But unfortunately, when it gets away from those cuddly creatures who have got some empathy from the population, when you get out to the other types of mammals, creatures, amphibians—

**Ms Gigantes:** The beavers.

**Mr Mills:** —and the beaver, as my colleague from Ottawa said, this becomes a bit of a problem.

I think the preservation of biological diversity in this province must be maintained as a fundamental cornerstone to the quality of our environment and indeed the quality of our life in general. As a key signatory to the world convention on biodiversity, this country, and specifically this province, must take active steps to confront the depletion of species and habitats across our lands. The current statistics have indicated that 19 mammals, birds, plants and fish were added this year to the list of Canadian species at risk, bringing the total to 255 species. Of the 19 additions, 11 can be found in Ontario.

It has long been recognized that the endangered species legislation is inadequate and relatively toothless. It has not been revised for 14 years, which makes all the more reason why I should commend my colleague the member for Durham West. It is out of touch with the realities of the modern world. This legislation offers concrete solutions for the rehabilitation and reintroduction of species and the overall health of these creatures in this province.

The proposed legislation takes a very proactive approach to the designation and classification of the species at risk, which represents a very substantial improvement over the existing legislation. By extending protection to the threatened and vulnerable species before they reach critical levels of extinction, this legislation adds to preserve and maintain populations with levels at risk, rather than simply responding to a crisis situation once the species have been labelled as endangered.

The proposed legislation provides a legal basis for a recovery plan for every endangered and threatened species within the province, and goodness only knows we need that legislation.

I think it's important to understand that the proposed legislation will provide the Minister of Natural Resources with the power to acquire land in order to protect, manage or restore the animals or plants declared to be endangered, threatened or vulnerable. I find it interesting that that part of this legislation poses such a worry and a concern to members of the third party, which I suppose really is nothing new there.

The penalties and sentencing provisions under this legislation take a much more aggressive approach towards offenders, ensuring that the environmental damage they do can be reversed or that restitution can be made. I think that is very much needed in this legislation.

Finally, as the clock ticks away to my time to run out, and perhaps most importantly, the proposed legislation places a strong emphasis upon hearing the concerns and ideas of the general public by providing for an advisory committee that would ensure broad public input on any

decisions taken to designate species as threatened, vulnerable or endangered under the act.

In my last eight seconds I appeal to all members of all parties to support this very much needed piece of legislation.

**Mr Wiseman:** Thank you to all the members who have participated in this debate. I'd like to respond to some of these comments.

First, it was almost implied that somehow this is hasty legislation and not clearly thought through. Every member of this Legislature was given a copy of this text. It's rather voluminous, and so I can't go through it in detail, but this has been in our hands since May 1991.

Prior to that there have been many studies clearly indicating that this kind of legislation is necessary. There have been hundreds and thousands of hours of work done by people in the Federation of Ontario Naturalists, the World Wildlife Fund and a whole host of other groups of people who have been involved. So this is not hasty legislation. They have all seen it and they have had comment on it, and you've heard some of those comments this morning.

As to the wetlands policy, I was instrumental in that wetlands policy. It was in response to a resolution passed in this House, by the entire House, to go forward with wetlands policy. I think it's essential that we go ahead and we continue to build on the protection that the policy puts into place. I think the failure to act and to move forward continues to put animal species and flora and fauna at risk in the province of Ontario.

In concluding, I would like to say that I am here both as a member of the government and also as an individual member who has obligations and responsibilities to his constituents. I do not believe that every action taken by this House should be from the government's executive branch. I believe that this House must regain control of the legislative agenda and that this House must show the responsibility to the people of Ontario that it is elected to demonstrate. So I again request that all members take their legislative responsibility seriously and pass this bill.

**The Deputy Speaker:** The time provided for private members' public business has expired.

#### RECREATIONAL VEHICLES

**The Deputy Speaker (Mr Gilles E. Morin):** We will deal first with ballot item number 69, standing in the name of Mr Brown. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Brown has moved private member's resolution number 51. Is it the pleasure of the House that the motion carry? Carried.

#### ENDANGERED, THREATENED AND VULNERABLE SPECIES ACT, 1994

#### LOI DE 1994 SUR LES ESPÈCES VULNÉRABLES, MENACÉES OU EN VOIE DE DISPARITION

**The Deputy Speaker (Mr Gilles E. Morin):** We will now deal with ballot item number 70. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Wiseman has moved second reading of Bill 174, An Act to revise the Endangered Species Act and to

protect Threatened and Vulnerable Species. Is it the pleasure of the House that the motion carry? Carried.

Shall this bill be referred to the committee of the whole? Agreed.

All matters relating to private members' public business having been completed, I do now leave the chair, and the House will resume at 1:30 this afternoon.

*The House recessed from 1200 to 1331.*

#### MEMBERS' STATEMENTS

##### WILLIAM KROETSCH

**Mr Hans Daigeler (Nepean):** Today I rise to pay tribute to the late Rev William Kroetsch, a leader in Toronto's German-speaking community for over 40 years. Father Kroetsch, who celebrated his 75th birthday last May, passed away suddenly on October 30.

Born in Saskatchewan, Father Kroetsch joined the Redemptorist order in August 1939 and became a priest in 1944. Since June 1948, he was pastor of the German St Patrick's parish on McCaul Street here in Toronto.

As you can appreciate, in this central position he played a major role in the spiritual care of German-speaking Ontarians in and around Toronto. Beyond his responsibilities as a religious leader, he also helped numerous immigrants of Germanic origin make the difficult adjustment from war-torn Europe to their new homeland.

Not only his parish, but our civic community at large has lost in Rev Kroetsch a man of rare wisdom, compassion and courageous leadership in difficult times. Ontarians from all walks of life owe him deep thanks for his untiring, selfless efforts to build strong and contributing communities of new Canadians.

I invite this House to join me in expressing our heartfelt sympathy to his family, his parish and his Redemptorist brothers.

#### DRIVERS' LICENCES

**Mr Allan K. McLean (Simcoe East):** My statement is for the Minister of Finance, and it's based on a letter I received from Mr Nick Unitt of Orillia about this government's continuing tax grab policies. Mr Unitt writes:

"Dear Sir:

"Yesterday, my daughter went to renew her driver's licence. She is not presently earning a great deal of money and lives on a very tight budget. She was informed that she must renew her licence for seven years at a cost of \$70, rather than as she expected for one year at \$10.

"I am very concerned about this matter, not only because it upset my daughter, but because of the deeper problems that I foresee.

"The government is forcing people to prepay their taxes since, of course, the driver's licence is a tax. I believe this type of taxation is not within the power of any government and is illegal.

"Secondly, this is an attempt by the present government to boost revenues at the expense of future administrations. At a guess of four million licences in Ontario at \$10 each and an average required renewal of five years,



the government is collecting an extra \$200 million this year that will result in a shortfall spread over the next five years....

"This is fiscal irresponsibility! I hope my comments are of use.

"Regards,

"Nick Unitt."

I agree with Mr Unitt's assessment that this is just one more fiscally irresponsible tax grab from a government that has no hesitation about stripping the people in Ontario of their hard-earned cash. It is irresponsible, unwarranted and unacceptable.

#### JOBS ONTARIO

**Mr Paul Klopp (Huron):** I wish I had a dollar for every time I heard, prior to my election, a small business-person and employer who complained about programs that the government announced were going to help business to hire people, but when they went to apply in my county they found out their business was either too small or there was a hiring quota or, worst of all, that there was still so much paperwork that they just forgot about it—a real waste of their tax dollars.

We heard that concern and that's how we came up with the Jobs Ontario Training program. We listened to their problems, and over the last eight or 10 months, when we've gone back to talk to those businesses, it's been no surprise to me that many businesses have said this program is working. As one person said when Bob and I, Bob Rae and I, were meeting with employers—

**Mr James J. Bradley (St Catharines):** Oh, "Bob and I." It's "Bob."

**Mr Klopp:** —in Goderich, "It's the first time a government ever created a program for which we didn't have to hire five people to do the red tape when all we wanted to hire were three people in the first place."

**Mr Bradley:** Must be the president of the association. The president of the NDP said that.

**Mr Klopp:** From the catcalls across the hall, it must really be bothering them.

We answered the questions about no quota: a business that wants to hire one person or 100 people. This program is flexible. We also for the first time recognized that farmers are a business too in this province and we didn't have them having to come afterwards and say, "We'd like to apply." I remember some other program that said, "You're not a business; you can't get involved in this." We listened.

I just want to say, where are Lyn and Mike, the tag team? This program is working. They're not friends of business. We're friends of business and we're going to continue to work for them.

#### PROPERTY ASSESSMENT

**Mrs Elinor Caplan (Oriole):** Yesterday the Minister of Finance was asked a question about the serious issue of mall property tax apportionment. Today I'd like to ask the minister, where is your legislation?

You know, Minister, that mall tax apportionment is a worry to many small businesses in Oriole's Fairview Mall and other large malls in the province of Ontario. These

businesses are struggling to survive. Urgency is therefore a factor, as the legislation must be passed this session in order for the changes to be implemented for the 1995 tax roll.

My caucus has been calling for a solution to this matter for some time. Now, through the hard work of the anchor tenants and the smaller retailers, an agreement has been reached. Your continued stalling is creating monumental problems for all mall retailers. I repeat: The legislation has not been tabled. What are you waiting for?

This, in my view, is an example of legislative incompetence by the NDP. By not introducing this legislation, the government has proven that it's not concerned about mall retailers. The only solution to this problem of mall tax apportionment is legislation.

I know how important this issue is. You say you have a deal, but we haven't seen the legislation. If the government won't act, then I will. I put you on notice, Minister: I will table a private member's bill on Monday if you don't.

#### NUCLEAR ENERGY

**Mr Leo Jordan (Lanark-Renfrew):** Now that the Premier has promoted the Candu nuclear reactor in China, we hope he might champion this technology at home. In the past, this government and various ministers of energy who have come and gone have blamed Hydro's fiscal problems on Darlington. Candu is not to blame. The government is to blame for creating cost overruns amounting to \$6 billion.

Before our Premier saw the light, it was his anti-nuke sentiment which brought about a moratorium on Candu development during their partnership with the Liberals. However, in light of the Premier's recent conversion, I would like to share the facts and dispel the fiction about Darlington and Candu technology.

Darlington, which produces 20% of Ontario's electricity, is both an efficient and cost-effective producer. At a price, without debt overheads, of only one cent per kilowatt-hour, operating costs at Darlington are the lowest of any nuclear station in the province. With all four units at Darlington running at 100%, the station is producing power at a rate which will allow the station to retire \$500 million of debt by the end of this year.

With this information in mind, I expect this government to promote Candu reactors as the most effective and environmentally benign source of energy for the province of Ontario.

#### SUBSTITUTE DECISION-MAKING

**Mr Gary Malkowski (York East):** I would like to extend my sincere congratulations to Mayor Michael Prue in the borough of East York for his resounding victory in last Monday's municipal election. Mayor Prue has worked tirelessly to benefit the lives of the people of East York, and I look forward to continuing to work in partnership with him and the borough of East York.

Also, I would like to speak about the importance of the Substitute Decisions Act not only to the people in East York but to all Ontarians. This act updates the law that deals with what may happen when someone is not mentally able to make important decisions in their life. I

feel it is essential for members of this Legislature to inform their constituents about this important legislation and how it may help them if they were to become incapable of dealing with their own affairs.

To this end, I want to encourage all constituents to attend any one of several information meetings that will be held across the province. These meetings are sponsored by the Substitute Decisions Project. Because of the tremendous interest in my riding, I have assisted some local members of the Leaside United Church in organizing a meeting which will be held on November 22 at 7:30 pm. I plan to host similar meetings in other parts of my riding over the next few months, and I'd like to invite all my colleagues in the Legislature to join me in my efforts to share this vital information with the public.

1340

#### LONG-TERM-CARE REFORM

**Mr James J. Bradley (St Catharines):** Today the government will be introducing yet another time allocation motion or a motion which limits the ability of the members of the Ontario Legislature to adequately debate legislation before this House.

The public would like to know, of course, that this session of the Legislature will be only a 20-day session, that the Premier decided that the House would not be called back into session normally, as it should have been, the third week of September but rather almost November 1. Then, with only 20 days of sitting, the government would introduce closure motion after closure motion, time allocation motion after time allocation motion.

We've already seen this applied to one bill. We will now see it applied to Bill 173, which is the act that relates to long-term care for many people in our community. The bill in fact may kill volunteerism across this province. It creates a much more bureaucratic system which will be difficult to administer. It will likely result, in the final analysis, in higher costs and less service to the people, and even Price Waterhouse, which had given a letter of some support in the past, has withdrawn that.

Clearly, this government does not want to see an adequate debate of this piece of legislation which has so much opposition in the province of Ontario. This is once again a sad day when this government stifles debate and stifles the opportunity for the public to have input on an important piece of legislation.

#### MUNICIPAL ELECTIONS

**Mr Robert W. Runciman (Leeds-Grenville):** This Monday, every voter in Ontario had the opportunity to choose which elected officials they wanted to run their municipal governments for the next three years. Unfortunately, in many municipalities voter turnout was less than stellar, often just one third of all eligible voters. That's half the 60% to 65% turnout recorded for most provincial elections. In my home town of Brockville, only 35% of eligible voters bothered to cast their ballot. In Toronto, the turnout was 36%.

Later today I will be introducing a bill entitled the Municipal Elections Amendment Act. The thrust of the bill is straightforward: to provide that polling stations for municipal elections shall open two extra hours in the

morning, so they shall open at 8 am rather than 10 am as the Municipal Elections Act currently provides.

Statistics have shown lately that workers, those fortunate enough to have a job in this province, are working longer and longer hours. Opening the polls at 10 am does not permit most people to vote before they begin their busy working day. My amendment will help long-distance commuters or those on shift work. It will help those who, while provided by law with three hours in which to vote during the day, feel they are just too busy to go back home and cast their ballot.

The cost for this change will be minimal. It will bring municipal voting hours closer to provincial poll hours and, most importantly, it will boost the number of voters able to exercise their democratic right.

#### SCHOOL TEACHERS

**Mr Derek Fletcher (Guelph):** Recently, I attended the annual meeting of the Wellington County Women Teachers' Association, and while I was there I was talking with a lot of teachers. It reminded me of the important jobs that teachers do every day.

You know, Mr Speaker, being a former teacher, how hard the job is. As front-line workers in our education system, they deserve our respect and our support, and we, as parents and community leaders, should recognize and thank our teachers openly for their dedication and their perseverance. Even though they, teachers, have taken the brunt of the criticism being levelled at our education system, they are still the ones who are going to be there for our children.

Teachers must always be seen as partners in our system, not as a problem. They are a major reason that our system has survived through countless years of change, some of which has put teachers in an environment of being all things to all people. They deal with drug and alcohol problems, stress, sexism, racism and violence. They must identify family abuse and be the moral leaders of our children. Teachers deserve a fair shake from government, communities, parents and the media.

Each of us can remember a teacher who did something special for us. It's time we remembered what we should be doing for teachers. I give the teachers of Guelph and Wellington county an A+.

#### OPPOSITION DAY MOTIONS

**The Speaker (Hon David Warner):** Members will be aware that there appears on today's Orders and Notices paper two notices of an opposition day to be debated next week. Under standing order 42(d) the Speaker is required to select one of these notices for consideration, taking into account the order in which they were received. I would like to advise the members that the motion by Mr Harris will be the one that will be selected for debate next week.

#### ORAL QUESTIONS

##### FURNACE VENTING SYSTEMS

**Mr Sean G. Conway (Renfrew North):** In the absence of the Minister of Housing and in the absence of the Minister of Consumer and Commercial Relations, my question will therefore be to the Premier, the leader of the government.



Premier, despite the very unseasonal November weather, we all know that winter is coming. We have in Ontario evidence that 10,000 homes domiciling tens of thousands of our residents and constituents are, as of this moment, confronted with potentially defective venting systems for recently installed heating devices.

Your government has known of this for several months, and I put the question to you today—I regret that the two ministers to whom I would ordinarily direct this are not here, but I have to tell you, Premier, that there is a widespread concern in the homes of those 10,000 dwellings where these defective devices have been identified.

Premier, can you or anyone else in the government today indicate what help, what action, what comfort you and your government are going to provide on the eve of winter for these thousands of Ontarians faced with a potentially serious health hazard?

**Mr James J. Bradley (St Catharines):** Good question.

**Hon Bob Rae (Premier and Minister of Intergovernmental Affairs):** It is a good question, and it's a serious one. I would say to the member that I take the question seriously, but I will have to take it as notice and will undertake to speak to the—

**Interjection:** He has come in.

**Hon Mr Rae:** No, that would be for an MNR question. With respect, this isn't to do with water; this is to do with heating.

Since it has to do with heating and since it has to do with some 10,000 residents, the member is asking a reasonable question. I hope that in the circumstances he will appreciate that what I will do is undertake to have the ministers respond to him on Monday.

**Mr Conway:** I appreciate that. The reason I raise the question today is that I just received a copy of a letter that's been sent to the government, to the Minister of Housing, copies to the Minister of Consumer and Commercial Relations, and the Premier got a copy of it as well and I'll be happy to provide him with another. It's from the Ontario Home Builders' Association, and I will be happy to send it over.

Let me just read one part of the letter which was sent by the Ontario Home Builders' Association to the Ontario government, including the Premier, a few days ago. I realize he may not yet have seen this. This is a very real problem, because these venting systems that are potentially defective could, if they fail, release carbon monoxide into these homes. They're not just single-family dwellings. My information is that we have some government of Ontario social housing units that are also involved and affected. Our evidence is that there are 10,000 homes in Ontario that have been identified as having these potentially defective venting devices. If these devices fail, they could send carbon monoxide into these homes and dwellings.

The Ontario Home Builders' Association, in its letter to the government of November 14 says, in part, "In light of the time that any remedial action is going to take for the homes involved and in light of the very real risk of

serious injury, any program, any remediation must be implemented and announced to homeowners within days, if not hours."

Premier, I ask you again to indicate to the House and to all of these affected people that you will take immediate action to coordinate a remedial program before winter sets in, because these are mostly furnaces. We've been lucky we've had very, very unseasonably warm weather in November, but the first bit of cold weather is going to send these furnaces into action and, I repeat, 10,000 homes serving tens of thousands of our residents are affected.

**Hon Mr Rae:** Since it's customary, when a member refers to a letter or a piece of correspondence, that he would share it with me, and obviously there's an issue here, I would like simply to say to the member that we take the concerns that have been expressed very seriously. I can assure him that in terms of the House there will be a response to him on Monday. I can also assure him that in terms of the issue he has now raised today, obviously I'll be speaking directly to the deputies involved as soon as I leave this place and discover exactly what the situation is.

**Mr Conway:** I appreciate that the Premier has given an undertaking that we will have a statement by the government on Monday of next week, because it is a matter of urgent and pressing concern to a lot of people. I appreciate the Premier's undertaking, and we will await a response on Monday of next week.

1350

#### DANGEROUS OFFENDERS

**Mr Sean G. Conway (Renfrew North):** My next question is to the Minister of Health and it concerns the Mental Health Act. It is now nearly two years since the coroner's inquest filed its report following upon the tragic death of Christopher Stephenson, who was brutally murdered in Ontario a few years ago.

The minister will know that that coroner's inquest recommended changes to the Ontario Mental Health Act that would keep predatory sex offenders off the streets. Making these changes called for by the Stephenson inquest is well within your—our—Ontario jurisdiction. In fact, one of your senior officials told the Stephenson inquest that changes could and should be made to the Mental Health Act to keep these predatory sex offenders off the streets and away from our children.

Minister, I ask you: Since these changes to the Ontario Mental Health Act are needed, and needed immediately for the reasons stated, and since you clearly, by the admission of your own officials and the Deputy Attorney General of Ontario, have it within your jurisdiction and competence, will you, for the protection of the children of Ontario, commit today to make immediately those changes to the Mental Health Act?

**Hon Ruth Grier (Minister of Health):** Let me start by saying that the recommendations of that coroner's jury and of others, and of course the question of public safety and the protection of children and families, are of very real and serious concern to us and we take them very seriously. After that coroner's recommendations were

received two years ago, in fact we established within the Ministry of Health a group to examine all of our forensic issues and policies.

We are very encouraged by discussions we've had between ministries, because this is not merely a case of making changes to the Mental Health Act. It is a case of working in a much more coordinated way between ministries both provincially and federally. In many cases the kinds of people the member refers to have been confined under the Criminal Code and then, when their term is served, it becomes an issue for communities, because under the Criminal Code they may well be released.

We are working with our own ministries and with the federal government to deal with these issues. I'm not in a position today to give the member an assurance in a blanket way as to what that solution will be, but I do say to him that we take it very seriously.

**Mr Conway:** The public out there, particularly the parents of children, doesn't care about intergovernmental committees. All they know is that two and a half or three years ago an innocent 11-year-old child, Christopher Stephenson, was brutally murdered by a repeat sex offender who somehow got through the cracks, and two years ago or a year and half ago the Deputy Attorney General, George Thomson, and the senior official, Gilbert Sharpe from the Ministry of Health, said that these kinds of changes that were called for by the Stephenson inquiry could and should be made by this government in this Legislature.

Tomorrow, Wray Budreo, another tragic case of a predator with a long record of molesting children, is eligible to walk out the doors of the Kingston penitentiary and to return to the streets and the shopping malls of Ontario. On behalf of the parents of millions of kids in this province, I ask you, I beg you, will you today commit to do what people like the Deputy Attorney General and your own officials said months ago could and should be done? Will you please, in the interests of and for the protection of innocent, defenceless young children, amend the Mental Health Act so these repeat sexual predators do not return to the streets and shopping malls to prey upon defenceless kids?

**Hon Mrs Grier:** As a mother, as a grandmother and on behalf of everybody in this House, I don't think any of us needs to be lectured about the need to protect the safety of kids on the streets in our communities.

If I move today amendments to the Mental Health Act as the member suggests, that would not deal with the particular instance that he refers to that is occurring this week.

**Mr Tim Murphy (St George-St David):** You've had lots of time, Ruth.

**The Speaker (Hon David Warner):** Order. The member for St George-St David is out of order.

**Hon Mrs Grier:** What I am saying to him and what I continue to commit us to is making sure that in every case where there is any risk to the safety of the people of this province, the work, the collaboration and the coordination that needs to occur between corrections and

between health institutions occurs and is occurring. In a case such as the one he refers to, corrections and the ministry and any other institutions involved, I can assure him, have the discussions that are appropriate to deal with any particular case.

**Mr Steven Offer (Mississauga North):** Madam Minister, your responses and inaction in this matter are, in a word, irresponsible. You have a duty and a responsibility to act.

I introduced into this Legislature this Monday and gave to you a piece of legislation which would amend the Mental Health Act. This legislation has as its purpose a mechanism by which the public can be protected against dangerous sexual offenders who are about to be released into the community. You have the legislation. It is tabled. You have the authority and the responsibility to act. Will you pass legislation which protects our children from dangerous sexual predators?

**Hon Mrs Grier:** The opposition begins its question by saying this coroner's jury was two years ago. Then it tells me that this week it has produced a solution and that we should have answered immediately.

**Mrs Barbara Sullivan (Halton Centre):** You're the minister.

**The Speaker:** Order, the member for Halton Centre.

**Hon Mrs Grier:** Let me tell the member what has happened over the last two years since those coroner's jury—

**Mrs Sullivan:** It's her job to do it.

**The Speaker:** Order. Would the minister take her seat. The member for Halton Centre, please come to order.

**Hon Mrs Grier:** The coordination, collaboration and cooperation between ministries and between the federal and provincial governments that has been established over the last two years is unparalleled in the experience of previous governments.

We immediately, after the coroner's jury which was referred to, established within our own ministry a group to look at our forensic services. We have established with the provincial ministries of Health, Solicitor General, Correctional Services and Attorney General a mental disorder justice review committee that is developing a common framework, that is articulating a strategy for mentally disordered offenders. We have two federal, provincial and territorial working groups examining policy, operational and legislative issues.

**Mrs Elinor Caplan (Oriole):** Do something, Ruth.

**The Speaker:** Order. Would the member for Oriole please come to order.

**Hon Mrs Grier:** For the first time, all of the various ministries involved are working together to protect the safety of the people of Ontario.

1400

**The Speaker:** New question, third party.

**Mr Cameron Jackson (Burlington South):** My question is to the Attorney General and it as well is about the fact that Wray Budreo, a convicted, sadistic paedophile, is going to be released into Ontario within a matter



of days. This man has a 30-year history of molesting children and it seems everybody agrees that he shouldn't be out on the street, but we're powerless to do anything about it.

Minister, you are the seniormost minister in the Bob Rae government responsible for justice in this province. Could you please tell the parents of children in this province just exactly what you are doing and your government is doing today regarding the release of Wray Budreo? What are you doing for the safety of our children?

**Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues):** The member needs to be reminded, as the Health minister reminded us all, that this sort of situation is a concern for all of us. I would say, as I always say in this House, it is not appropriate for us to be discussing specific instances but it is important for us to realize that the law has certain provisions within it and that it is the responsibility of governments to support the provisions of the law.

What we are doing—

**Mrs Caplan:** Then change the law.

**Hon Mrs Boyd:** I cannot change the federal law—

**Mrs Caplan:** You can change the Mental Health Act.

**The Speaker:** Order.

**Hon Mrs Boyd:** —and the minister has already responded around the Mental Health Act.

What I will say to the member is that in cases like this our government has taken a very strong stance that where it is appropriate and where the recommendation from a crown attorney is that we apply for a dangerous offender application, that is what we do. We have been very vigorous, much more vigorous than other administrations in this province or in fact the administrations of other provinces, to apply for dangerous offender applications, which are the provision in the Criminal Code to deal with this kind of case where there has been repeated behaviour that has not been changed by the efforts of the correctional system.

I would say to you that when sentencing has already occurred, when a situation has already occurred, the actions are limited when a person has already served their sentence and those actions cannot be done through the sentencing provisions in the Criminal Code once that has happened, that in cases that occur now—

**The Speaker:** Could the minister conclude her response, please.

**Hon Mrs Boyd:** —we are very vigorous in our pursuit of dangerous offender applications, which is the method we do have at hand.

**Mr Jackson:** On October 31, Christopher Higginbottom, a known homosexual paedophile, was acquitted in Milton district court under provincial jurisdiction of sexually assaulting an 11-year-old boy in Burlington. He previously had attacked four other children victims, in the United States, in Oakville, Ontario, and in Hamilton, Ontario. He has received convictions for previous assaults and he has been in and out of the Clarke Institute four times with assessments, and Dr Peter Collins's partial

testimony that I have from that trial is very frightening indeed about the incidence for reoffending here.

They read into the court Mr Higginbottom's diary, and it contains references to having repeated sex with the little boy, then chopping up his body parts and doing things with them. He can only be held in this province for another seven days on a vagrancy charge, Minister, because he was found, in violation of his probation, wandering through an elementary school in Burlington.

Now you've indicated that your government might consider changes to the Mental Health Act, but we need some action to lay, and you said you've been diligent in this matter. I want to remind you, my colleague the member for York Mills two years ago called upon you and your government—he tabled a private member's bill, the Registration of Pedophiles Act, to protect children against sexual predators. Minister, why have you done nothing and why will you not support this bill?

**Hon Mrs Boyd:** I have an obligation as the Attorney General to be very mindful of the rights of all individuals, whether they have been accused or not of various crimes in this province. It is extremely important that we in this House be very aware that many people are accused of crimes. If we cannot in the courts prove beyond a reasonable doubt to the court that a particular accusation is true, then a conviction doesn't result, and however much we might regret that, that is the rule of law and it is the rule of law that we must protect for our own protection because otherwise all accusations might result in a very serious problem for justice for all of us.

It is in all of our best interests to realize that we have a regime that whatever our concerns may be about an individual and whatever an individual may have been convicted of doing in the past, if we cannot prove in a particular case beyond a reasonable doubt to the satisfaction of the court that a crime has been committed and that that individual committed it, then we cannot get a conviction. In terms of dangerous offenders, as the member asked, we cannot ask for a dangerous offender application unless the person has been convicted, and then in sentencing we can ask for a dangerous offender application.

So I would say to the member, yes, there are times when it appears to the community that the justice system may not be working as they wish, but we cannot pick and choose our cases. In terms of the registration of paedophiles, this goes to the very heart of how we deal with the issue of protecting our children and protecting our communities.

The member will be aware that the federal Minister of Justice is looking at the possibility of registration of those who have been convicted of such crimes, looking at how they can be screened if they are going to be hired in areas that have to do with children. But the member must also be very mindful that it is the job of all of us—

**The Speaker:** Could the minister conclude her response, please.

**Hon Mrs Boyd:** —to protect against the unreasonable infringement of the rights of citizens of this country.

**Mr Jackson:** Christopher Higginbottom was charged

with sexual assault, invitation to sexual touching, sexual intercourse, forcible confinement and anal intercourse with an 11-year-old Burlington boy. The judge in this case did not believe the testimony of the now 12-year-old boy.

His stated reasons for judgement in this case were that he was uncomfortable with the demeanour of the complainant and the credibility of the complainant. I suspect that most 11-year-olds who have been sexually assaulted are having some difficulties out there. It's the whole basis on which the Grandview victims had to become more believable in the eyes of the court.

The judge and the crown in this case were not made aware during the trial that the victim suffers from attention-deficit disorder. He was awakened at 6 am to be taken on a trip to court, to arrive at 8:30 in the morning, and was on this trial stand at 2:30 in the afternoon.

Would you not agree, given that the time for appeal from the crown's office, where you can have a hand, will expire at the end of this month, on behalf of the victim child's mother, who has written a letter, and I'll give you a copy, to undertake an appeal of this case based on this evidence, and will you not read the reasons for judgement and examine, with the crown office involved, to determine if in fact we can have an appeal and keep this dangerous paedophile, self-admitted on the stand homosexual paedophile, off the streets until justice can be properly served in the province of Ontario? Will you give that assurance to the family and to this victim?

**Hon Mrs Boyd:** We have a process within the ministry whereby we go through the exercise of looking at whether or not decisions in the duly constituted courts are appealable or not, and as that process goes through, recommendations are made from the trial crown attorney, they are reviewed a number of times within the crown law office, and then a recommendation is made to me. Indeed the member is quite right, at the end of that process it is my responsibility to make a decision one way or the other in those kinds of situations.

But it is very important that this member be aware that it is totally inappropriate to be discussing a case that may or may not be appealed within this House. He knows that. He has been warned about that many times. It is now a real problem that he has raised in this House—

*Interjection.*

**The Speaker:** Order, the member for Burlington South.

**Hon Mrs Boyd:** —in a public forum, issues that may become under appeal in a court of law, and I will not discuss it any further.

1410

#### ANTI-RACISM ACTIVITIES

**Mr Charles Harnick (Willowdale):** My question is for the Attorney General. Ernst Zundel, a self-identified Nazi, is a key figure in a network of Fascists and white supremacists and is responsible for publishing and exporting a huge volume of hate propaganda that is distributed worldwide.

I'm sending over a copy of *Power: Zundelists vs Zionists*, published by Ernst Zundel from 206 Carlton

Street in downtown Toronto. I'd like to quote from the document:

"Now the time and hour has come for the American and Canadian patriotic movement to rise like one man and vent their wrath on those German traitors and vassals. We can finally lance that festering boil and expose the Holocaust racket."

Minister, I am offended by this statement. However, I am equally offended by your government's inaction. Why have charges not been laid against Ernst Zundel?

**Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues):** I too am offended by this, and I will say to the member that he is well aware that charges are laid in the first instance at the instance of the police, who bring materials forward. Yes, I need to, in this particular case of hate literature, agree to a charge or not, but I do that when the police have a case, bring a charge and bring that to us, and this has not happened in this particular case. So the member needs to be aware that this is the process that goes on.

I share his concern about this sort of thing, but he is also aware that there are very great difficulties with the hate law as it is now defined in the Criminal Code. We have many times, as a province, talked to our federal counterparts about the need to change that law and make it more effective in order to deal with this sort of thing, and we continue to advocate on behalf of that.

But I will say to the member that this material has not been brought forward to me with a request for a charge.

**Mr Harnick:** In this province, the Attorney General's department has time to run anti-racist seminars. They think of having segregated diversion programs. Now you have a chance to really deal with something to show that this means something to your government.

I'm sending over another copy of *Power: Zundelists vs Zionists*, and would like to read another quote from Ernst Zundel: "Not all goys are stupid. Not all are going to be forever intimidated. One day in the not too distant future, the tables might well be turned and the aroused Gentile world will mete out justice and vengeance." Minister, does this not constitute the wilful promotion of hatred against an identifiable group, as defined in the Criminal Code?

**Hon Mrs Boyd:** I will certainly take this material to the crown law office and have them consult with the police around whether or not this is a chargeable offence under the law. I accept the legal advice of those who are experts in this area.

There are many people who make allegations, around different pieces of literature, that they fit the definition of the law and then have been proven, in the courts and before a court, that in fact that is not seen to be the case. But I will certainly bring this material to the notice of the crown law office and will seek its advice about the appropriateness of a charge being laid in this case.

**Mr Harnick:** I'm going to quote one final passage from *Power: Zundelists vs Zionists*: "Once cleansed from the stigma of having been tainted by Nazi Holocaust lies and propaganda, we can use the eminently successful policies of Hitler."



Minister, this self-identified Nazi is responsible for publishing and exporting hate propaganda that is distributed not only in Canada but to over 41 countries worldwide. The government of Germany has asked that you take every action within your power to stop Ernst Zundel. When will you respond to the requests of the government of Germany and of human rights groups like B'nai Brith and stop the spewing of this filth from Ontario that incites hatred and violence?

**Hon Mrs Boyd:** The member was quite correct in asking that we do everything within our power to do this. I agree with him: We must do everything within our power. He does not agree with the judgement we have made, which we have made in conjunction with our federal counterparts, about where our power lies. There are certain things we can do in our jurisdiction and other things we cannot. It does not mean we are not concerned about this material. It does mean we are prepared to do what we can.

While I admire the member's very strong motivation in bringing this forward, and I think it is an issue that needs public discussion, it is also an issue that is of very sensitive concern to many people. There are many of those who are affected by the kind of hatred expressed in the quotes he made who are deeply affected by this sort of matter and in fact are offended that we would repeat those words in this House. We need to be very clear when we deal with this sort of thing that the more publicity we give this kind of scurrilous material, sometimes the more people think it has some power that it ought not to have.

#### ENVIRONMENTAL PAMPHLET

**Mr Sean G. Conway (Renfrew North):** In the absence of my friend the Premier and especially in the absence of the Minister of Agriculture, Food and Rural Affairs, I have a question for the Minister of Environment and Energy.

My good friend Mrs Fawcett has returned from the rural reaches of Northumberland, and she has brought some really interesting mail that the House generally and farm members particularly will be interested to hear. My question concerns a brochure that is being put out by an environmental group which claims to be generously supported by the Ontario Ministry of Environment. This environmental group that is involved in public education out in the rural areas and elsewhere is called the Power of the Dream Collective. The Power of the Dream Collective has prepared a brochure with the generous support of the Ontario government, the Ministry of Environment, and this is to help educate the young people of Ontario.

Let me read just one part of this public information brochure that is being distributed in the schools of Northumberland and I presume elsewhere. This is what the Dream Collective is observing and is using as part of its education material: "Agribusinesses being run by large multinational corporations are having a devastating impact on the planet's ecology. The unabated use of carcinogenic pesticides on farms and orchards, as well as the indiscriminate use of antibiotics and growth hormones in meat and dairy production, is poisoning every link in

the food chain." Then of course the brochure goes on to warn kids to stay away from meat and dairy products, because of course this conspiracy is somehow organized to contaminate much of their food.

Minister, since this brochure, which I think you've now got a copy of, is put out by the Power of the Dream Collective, generously supported by your ministry, can you tell us whether or not you're aware of this and if you have any views about this kind of public information campaign, particularly in the rural counties like Northumberland?

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** The member should free the back bench. I don't know why the member for Northumberland couldn't ask a question about her own riding. But I would be happy to tell the member for Renfrew North, who is speaking on behalf of his friend from Northumberland, that this group has indeed received funding from the Ministry of Environment and Energy, but the Ministry of Environment and Energy did not provide funding for the production of this brochure, nor did the ministry have any involvement in it.

I would also point out to the member, as he's fully aware, that the ministry also provides funding to organizations such as the Ontario Federation of Agriculture for its programs, and also produces educational materials for the schools that deal with the safety of Ontario food and all the efforts that are being made to deal with the environmental problems we all face.

I would be happy to reiterate for the member's edification and for the information of all the members of the House that my colleague the Minister of Agriculture, Food and Rural Affairs was able to publish last week a document that showed that farmers in this province are making a tremendous lot of progress in lowering the use of pesticides in Ontario. We're all in support of that, and the ministry is doing everything it can to help them.

1420

**Mr Conway:** Let us be clear. Teachers and students in rural Ontario, and I represent a big slice of it, are getting a brochure that says clearly and unequivocally, and let me quote the introduction, "This brochure, which was created by the Power of the Dream Collective...was made possible through the generous support of the Ontario Ministry of the Environment." That is what is on this brochure.

I want to make it very clear that teachers and farmers in Northumberland and in Renfrew and in Essex and in Algoma will be getting this, and they're mad as hell. They know that this government, according to Tom Walkom, is run by a pack of nitwits who are apparently connected to some kind of extragalactic power. And they will want to know—

**The Speaker (Hon David Warner):** Order. Will the member for Renfrew North take his seat.

*Interjection.*

**The Speaker:** Order. I would like the member to take his seat.

*Interjections.*

**The Speaker:** The member for Etobicoke West is asked to come to order.

The member for Renfrew North, the distinguished member for Renfrew North, will know that he used unparliamentary language, and I am surprised at the lack of respect for the Chair. I would ask the member first to at least withdraw the unparliamentary remark.

**Mr Conway:** I'd be happy to. I want to follow your order, Mr Speaker. Which of the statements? I'll withdraw when somebody tells me. But I've got to tell you, I've got a bunch of farmers who are going to be pretty ticked off.

**The Speaker:** I would ask the member to simply withdraw the unparliamentary remark.

*Interjection.*

**The Speaker:** All right. Will the member take his seat, please. Will the member please take his seat.

A question has been placed. Minister.

**Hon Mr Wildman:** Mr Speaker, after listening to that philippic from the member opposite, I can only conclude that his whole approach is Mephistophelian.

I would say that the member knows very well that the document he has before him has a good deal of information in it which is of use to all of us in terms of dealing with the environment. However, the comments made about diet, as I've said, are matters that are of concern to the farm community in this province, and I don't think it serves that community or anyone else very well to play the court jester in this place.

We are doing everything we can to ensure that the agricultural community, in cooperation with the Ministry of Agriculture, Food and Rural Affairs and the Ministry of Environment and Energy, can move forward to deal with issues such as the use of pesticides, herbicides and fertilizers, and how we deal with those matters to protect the environment and to ensure that we have good, safe food production, which we've always had and have always been proud of here in this province.

#### JOB SECURITY

**Mr Allan K. McLean (Simcoe East):** My question is to the Minister of Economic Development and Trade. It concerns an ongoing issue in the county of Simcoe with regard to the short rail lines. My colleague the member for Simcoe West has raised this issue on many occasions, as have I.

Last November 1, the Minister of Labour said: "We have found potential investors for these lines. Ontario has taken the leadership in the absence of the federal leadership." Minister, can you tell us today what you're going to do with regard to the disastrous effect of the job-killing Bill 40 in this Legislature on the abandonment of the CN lines?

Your colleague has promised he would bring forth the agreements. I understand that there's a letter and communications from Labour with regard to the ongoing problem we're having. Could you enlighten the people in Simcoe county today as to what's happening?

**Hon Frances Lankin (Minister of Economic Development and Trade):** I truly appreciate the opportunity

to address this matter. The member's concern is well noted, as are those of other members from that region of the province. I hope he will acknowledge and will actually take this message back to the people and to the federal government representatives in that area, who have not been doing a job in terms of representing the members of that part of the province, that in fact we are making progress at the provincial level in trying to clean up the mess that CN and the federal Liberals are leaving us with respect to their policy of abandonment of rail lines in Ontario.

I do want to address specifically the comment the member made with respect to Bill 40 because there is important information in advancements that have been made.

Following meetings that have taken place with the national rail unions, those unions have indicated a full willingness to negotiate appropriate collective agreements to short-line operations. By that I mean they've indicated a willingness to combine into one collective agreement, and collective agreements that differ from the national rail agreements.

In meeting with the mayors up in Simcoe county, both the city and regional representatives, they have indicated, along with business people, they have indicated to me that they understand that Bill 40 in fact is not an impediment in this area any more. A member over there looks surprised. In fact, they've said that directly to me. I'll tell you about the Goderich line; the Exeter line, which in fact was short-lined before Bill 40.

**The Speaker (Hon David Warner):** Could the minister conclude her reply, please.

**Hon Ms Lankin:** People say that's an example of why Bill 40 is a problem. It has now been certified with the union. They're negotiating a first contract.

The union's indication in writing, directly to me in person and to potential investors, that it will sit down and negotiate has alleviated that as a problem or barrier to the creation of short lines.

**Mr McLean:** Quite frankly, the people of Simcoe county are running out of patience; they want something to happen. We have a copy of a letter from federal minister Young with regard to the problems indicating to us that as of next February or March, they will start removing the lines.

What agreements are we going to have, and what are you going to do to make sure that the lines are put in place? Can you give us the names of the investors that are interested in purchasing the lines? Do you have any correspondence from investors that said they're willing to purchase the lines? Do you have any correspondence from the unions that indicates they will cooperate, with one union, so we can proceed to negotiate to sell these lines? Can we have that information, please?

**Hon Ms Lankin:** I'd be pleased to share copies of correspondence with the member. I know he will take them back to share with the public in Simcoe county and at public meetings that will be held in the near future that I'm aware of, and I look forward to that information being disseminated. I have letters from the unions which



indicate their willingness to negotiate flexible agreements suitable to short lines.

There are a number of potential investors which the community is aware of. But I'll tell you, the member hit the nail right on the head when he talked about the letter from the federal Liberals. Quite frankly, we fought together with provincial members from that part of the province to stop the abandonment of the Barrie-Collingwood line, and you'll know that the National Transportation Agency ruled in our favour and said that for two more years they couldn't do it. And what happened within a matter of two months? CN applies for abandonment of the south part of the line, from Toronto up to Bradford, which would cut the legs out from under the community up there, and applies for reconsideration of that NTA decision.

It is time the federal Liberals took control of CN and stopped the destruction of our national transportation systems.

#### NOTICE OF DISSATISFACTION

**Mr Allan K. McLean (Simcoe East):** On a point of order, Mr Speaker: I'm not satisfied with the answer. Under the rules of this Legislature, I will be calling for a late show.

**The Speaker (Hon David Warner):** The member will file the necessary papers, I trust.

1430

#### WATER QUALITY

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** My question is to the Minister of Environment and Energy. I understand from examining the Provincial Auditor's report that in 1992 his office examined water treatment plants in the province of Ontario and found some not in compliance. As a result of this being raised by some ballistic members of the official opposition, it got some interesting media and it caused some phone calls to my constituency office.

This was 1992. The Liberals chose to do nothing when they were in office, reaping great revenues in the province of Ontario. However, I want to say that in my riding, with the Ontario Clean Water Agency and with less than 1% of the population of the province of Ontario, we got 6% of the dollars available to ensure that water treatment plants and sewage plants in my riding are up to standard.

However, Minister, yesterday you promised to table in this House a list of the water treatment plants in Ontario which the auditor identified as having been out of compliance. Have you tabled this list and what does it tell us?

**The Speaker (Hon David Warner):** The Minister of Environment and Energy.

**Mr Gregory S. Sorbara (York Centre):** This is question period, not slow-pitch. Slow-pitch they play outside.

*Interjections.*

**The Speaker:** Order. Could the minister take his seat, please.

Minister?

**Hon Bud Wildman (Minister of Environment and**

**Energy and Minister Responsible for Native Affairs):** I do believe that it is important for all members of the House to receive information that is accurate and up to date, particularly because of some of the concerns that have been raised as a result of the important auditor's report that was tabled earlier in the week. I made a commitment yesterday that—

**Mrs Elinor Caplan (Oriole):** You tried to cover it up.

**The Speaker:** Order. The member for Oriole, please come to order.

*Interjections.*

**The Speaker:** Order.

**Hon Mr Wildman:** The members will know that concerns have been raised, and I made a commitment yesterday that when I tabled the 23 that the auditor had actually looked at, I would also table today a full list of the 120 sites referred to in the auditor's report. I have tabled a list of 151.

The reason for the difference in number is that some municipalities have more than one water source and the auditor grouped them by municipality, so that's the reason for the difference between 151 and 120. It is on the Clerk's desk. It will be distributed to members of the House and it shows very clearly the up-to-date information, as of this date, that there are no unsafe drinking water situations in the 151 listed. The water is safe, despite what my friend across the way attempted to persuade the public and to warn them about this issue.

I will just close—

**The Speaker:** Could the minister conclude his response, please.

**Hon Mr Wildman:** I will just say that 73—

*Interjections.*

**The Speaker:** Order. Could the minister quickly conclude his response.

**Hon Mr Wildman:** I will try, Mr Speaker. Of the 151, 73 are fully in compliance; 88 have minor problems but the indication is that there are no unsafe drinking water sources in this list. There is one—only one—"boil water" order that we know of in the province—

**The Speaker:** No, I'm sorry. Would the minister take his seat, please. More than ample time has been allotted for the minister to reply. There is a supplementary allowed. There may be an opportunity to add more information. The minister knows he can table information.

**Mr Paul Johnson:** My only supplementary would be only to get a fuller response with respect to it, but if that's inappropriate, then I can wait to see the report on the table.

**Hon Mr Wildman:** I was just saying that there is one "boil water" order in the province. That's at McMarmac in northwestern Ontario, the water supply for Red Lake. That is the only such order in the province at this time. There is safe water for the residents of Ontario. The ministry took immediate action upon the receipt of the report in 1992. The auditor made a very important report as to the status of 1992. In 1994 we have safe water in

the province, despite the fact that this disappoints the members opposite.

#### CANCER TREATMENT

**Ms Dianne Poole (Eglinton):** My question is for the Minister of Health. Minister, this morning I sponsored a press conference by the Alliance of Breast Cancer Survivors. Dr Judith Rosner-Siegel and many other breast cancer survivors are with us in the gallery today.

In December 1993, a new drug, Taxol, was approved for use against metastatic breast cancer. Taxol has been proven to be extremely effective in improving the quality of life of many women who have been threatened with this disease. Unfortunately, Taxol is not available to many Ontario women who have this type of breast cancer, and your government has not agreed to fund the cost.

Minister, in a letter dated September 15, 1994, your ministry encouraged the Ontario Cancer Treatment and Research Foundation to establish administrative guidelines and conduct clinical trials. Although you did not require the cancer foundation to do so, it will be providing you with administrative guidelines and positive efficacy results shortly. When you receive these guidelines, will you commit today that you will provide the necessary funding to cancer centres and hospitals across the province to ensure that Taxol is available to the women who so desperately need it?

**Hon Ruth Grier (Minister of Health):** I'm glad to have an opportunity to address this question because I'm certainly very aware of the concerns that were raised this morning, and disturbed that the impression seemed to be left that Taxol was not being paid for. We in fact spent \$700,000 last year on Taxol through the regional cancer centres and through hospitals in this province.

It is a new drug. It is a drug that is very effective in some cases. It is extremely expensive because the pharmaceutical companies, of course, set the price, but as a woman and as part of a government that has done more to improve the cancer treatment in this province than any other government in the country, I am delighted when a new drug does appear because it gives us all hope. We have asked the Ontario Cancer Treatment and Research Foundation to provide us with guidelines so that it may continue to be prescribed in a way that we can be sure is most effective and most cost-effective.

1440

**Ms Poole:** Let's make it very clear, Minister: The federal government has already conducted clinical trials, established guidelines and approved Taxol for usage in Canada. Secondly, nowhere in this letter does it imply, suggest or state in any way that if guidelines and efficacy testing are provided, then you will provide funding for this drug.

You did not require the Ontario cancer foundation to provide the information; you only encouraged it. Notwithstanding that, they are providing the information to you. What you have said is that you're going to leave the cancer centres to carry the burden alone, and then there is no option for all those women who are receiving treatment in hospitals. They are not receiving the treat-

ment of Taxol, which as you know is a last-resort treatment for metastatic breast cancer.

Minister, we're not looking for a bureaucratic response. We're looking for real help for real people. Will you today commit that once you receive this positive report from the cancer foundation, you will provide funding for the treatment centres and also the hospitals across this province?

**Hon Mrs Grier:** I thought I made it very clear in my first response—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Steven W. Mahoney (Mississauga West):** On a point of privilege, Mr Speaker: I think the word might resemble "fuddle-duddle" from the minister over there, who just told me to eff off in this House. I demand an apology from the Minister of Environment and Energy right now.

**The Speaker:** The member for Mississauga West—

*Interjections.*

**The Speaker:** Order.

*Interjections.*

**The Speaker:** When the House comes to order, I will deal with the matter that's been raised.

To the honourable member for Mississauga West, I did not hear the alleged remark, but as is our custom, I will allow the Minister of Environment the opportunity to withdraw such a remark if such a remark indeed was made.

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** Mr Speaker, if I made any remark that offends the member, I withdraw it.

**The Speaker:** Minister?

**Hon Mrs Grier:** Let me say, as a woman, that when there is a matter under discussion that is of critical importance to all of the women and their families, such as breast cancer, a disease in which 6,500 women a year in this province are being diagnosed, to interrupt such an exchange because of games between members is typical of the members opposite and affronts me.

*Interjections.*

**The Speaker:** Minister?

**Hon Mrs Grier:** Let me use the opportunity to repeat our government's action and commitment on cancer in this province: Two new cancer centres, 13 more radiation machines, 600 more breast-screening centres, \$185 million to Princess Margaret Hospital, that's what this government has done in four years.

In response to the question that was raised by the member for Eglinton, the letter she refers to is very clear. It says the foundation, OCTRF, should identify funding pressures resulting from increased service demand in its operating plan. These pressures will be dealt with through the operating plan process. We need the guidelines so that physicians can be clear as to what circumstances they prescribe this drug, and we need the guidelines so that patients can be sure that they get the drug they need



when they need it and when it will be effective.

**The Speaker:** New question, the member for Simcoe West.

**Mr Gregory S. Sorbara (York Centre):** On a point of privilege, Mr Speaker: I think it's appropriate to get on the record the offence taken by myself, as the member for York Centre, and my colleague the member for Mississauga West.

During her response, the Minister of Health suggested that in this very important matter relating to the government's initiatives on breast cancer, we had interrupted the proceedings with a matter of privilege. To simply set the matter straight, during her answer, the Minister of Environment and Energy was with the table officer berating the—

**The Speaker:** Will the member take his seat.

*Interjections.*

**The Speaker:** The member will take his seat now. I caution the member. He is about to be named.

*Interjections.*

**The Speaker:** The member for Simcoe West will be recognized. He will have an opportunity to place his question. I caution the member for York Centre that it is not helpful, when trying to deal with serious matters before the House, to not have respect for the Chair.

#### LONG-TERM-CARE REFORM

**Mr Jim Wilson (Simcoe West):** My question is to the Minister of Health. On Tuesday, weeks of speculation became reality. Seniors and home health care providers saw the real agenda driving your reform of the long-term-care system. First there was Bill 40, your government's labour laws, then there was Bill 91, the farm labour legislation, and now this week we got the third instalment of Bob Rae's plan to unionize the province.

Home health care groups see your amendments—

**Mr Gordon Mills (Durham East):** Get a life.

**The Speaker (Hon David Warner):** Order, the member for Durham East.

**Mr Jim Wilson:** —to Bill 173 as simply being—

*Interjections.*

**The Speaker:** Order. Would the member take his seat, please.

*Interjections.*

**The Speaker:** I ask the member for Durham East to please come to order. The member for Simcoe West.

**Mr Jim Wilson:** Minister, thousands of home health care workers and their supporters see your amendments to Bill 173 as simply being a unionization drive that will amount to fewer services to seniors and job losses for non-unionized home health care workers. Because of your 11th-hour amendments, non-unionized community health care workers are toast. Their jobs will disappear. Why are you so determined to put non-unionized VON, Red Cross and Saint Elizabeth Visiting Nurses' Association and many, many other good people out of work? Why are you so determined to do that?

**Hon Ruth Grier (Minister of Health):** The opposition's distortion of long-term care and the initiatives of

this government obviously knows no bounds. I have made it clear, as has the government, as have all of our responses to committee—

*Interjection.*

**The Speaker:** Order, the member for Halton Centre.

**Hon Mrs Grier:** —that the long-term-care reorganization was about protecting—

*Interjections.*

**The Speaker:** The member for Oriole, come to order.

**Hon Mrs Grier:** —the service to seniors and to the disabled, the continuity of that service and the continuance of the provision of that service by the people who now provide it.

*Interjection.*

**The Speaker:** The member for Halton Centre, come to order.

**Hon Mrs Grier:** We have made it very clear from the beginning that people now working—

**Mrs Elinor Caplan (Oriole):** That's not true—

**The Speaker:** Order. Would the minister take her seat, please.

*Interjection.*

**The Speaker:** Would the minister please take her seat. I caution the member for Halton Centre to please come to order. Minister, would you conclude your remarks, please.

**Hon Mrs Grier:** I've finished.

**The Speaker:** The time for oral questions has expired.

**Mr Jim Wilson:** On a point of order, Mr Speaker: It was my understanding you indicated earlier, with a couple of minutes on the clock, that I would be entitled to my full question.

**The Speaker:** The member was indeed allowed an opportunity to place his question. There is not sufficient time on the clock for a supplementary.

**Mr Ted Arnott (Wellington):** On a point of order, Mr Speaker: I looked at the clock when my colleague for Simcoe West rose to ask his question. There was, I believe, two minutes and 12 seconds remaining in question period and then we had the delay based on the other point of order. I would ask unanimous consent of the House to allow him—

**The Speaker:** The member for Wellington has been here long enough to know that the interruptions are at the instigation of all the members and that the clock continues to tick.

#### MOTIONS

##### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** I move that Mr Dadamo and Mr Rizzo exchange places in the order of precedence for private members' public business.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Gary Malkowski (York East):** Point of privilege, Mr Speaker: I would just ask your guidance. When the

Liberal members abuse the system in the House, that doesn't permit government members to ask important questions. I'm asking your guidance on what I can do.

**The Speaker:** The member does not have a point of privilege.

1450

### PETITIONS

#### LONG-TERM-CARE REFORM

**Mr James J. Bradley (St Catharines):** The petition reads as follows, and this is addressed to members of the Legislative Assembly of Ontario:

"Whereas Bill 173, the long-term-care reform bill, if allowed to pass without necessary and appropriate amendments, will result in a lower level of service to consumers in the province; and

"Whereas the enactment of this legislation in its present form will increase the cost of the provision of care to the elderly and those in medical need; and

"Whereas the passage of Bill 173 will bring about a decrease in the number of volunteers available to organizations now directly involved in providing service in the field of long-term care; and

"Whereas local communities will lose control and influence over the delivery of long-term-care services, even though they are best able to determine local needs,

"Be it therefore resolved that the government of Ontario be requested to amend Bill 173 to comply with the recommendations of service organizations who at present deliver home care to people in communities across Ontario."

I affix my signature to this petition, as I am in agreement with its contents.

#### WORKERS' COMPENSATION

**Mrs Dianne Cunningham (London North):** I have a petition here signed by citizens of London, Ontario, and the county of Middlesex.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Workers' Compensation Board is in a state of financial crisis; and

"Whereas the future benefits of injured workers are at certain risk; and

"Whereas the Premier ignored the advice from his own business advisers on his labour and management advisory committee to eliminate the unfunded liability and to ensure that the Workers' Compensation Board does not negatively impact the competitiveness of Ontario business; and

"Whereas Bill 165 increases benefits at a time when the Workers' Compensation Board is experiencing negative cash flow;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario withdraw Bill 165 and accept the responsible business recommendations provided to the Premier to ensure the sustainability of the workers' compensation system."

#### HAEMODIALYSIS

**Mr Randy R. Hope (Chatham-Kent):** On behalf of

my constituents who have signed these petitions, they have asked me to introduce them to the government of Ontario. I'm sure Tara, the page here who's from my riding, can testify to these petitions being around the community. They state:

"We, the undersigned, are petitioning the provincial government for a haemodialysis unit to be placed in one of the Chatham hospitals for the use of Chatham-Kent kidney patients. This will enable these patients to have their treatment in Chatham instead of travelling the distance to London three times a week."

On behalf of those constituents, I present the petition, which ranges from people from Thamesville, Morpeth, Dresden, Ridgeway and the communities surrounding the city of Chatham.

#### SEXUAL ORIENTATION

**Mr Tony Rizzo (Oakwood):** I have a petition from the residents of the provincial electoral district of Oakwood:

"Whereas the protection of human rights is a fundamental principle of international law and it is an overriding responsibility of all governments; and

"Whereas the NDP government of Ontario has undertaken a review of Ontario statutes based on the principle that 'all Ontario laws and programs must treat people fairly regardless of the nature of their personal relationships or their family units'; and

"Whereas a September 1992 ruling by the board of inquiry under the Ontario Human Rights Code in the Leshner case upheld the principle of equal rights for same-sex spouses, citing the Canadian Charter of Rights and Freedoms; and

"Whereas Bill 45, recently introduced as a private member's bill, serves only to confirm the status quo without addressing discriminatory language in nearly 80 other statutes, and will therefore require years of further litigation to secure equality rights guaranteed under the Charter of Rights and Freedoms; and

"Whereas any further denial of these human rights is unconscionable,

"Therefore we, the undersigned residents of the provincial electoral district of Oakwood, petition the government of Ontario to immediately enact legislation amending the definition of 'spouse' and related terms wherever they occur in Ontario statutes so that they are inclusive of same-sex partners and their families."

#### ANTI-TOBACCO LEGISLATION

**Mrs Dianne Cunningham (London North):** To the Legislative Assembly of Ontario, a petition with regard to Bill 119:

"We, the undersigned, petition the Legislature of Ontario as follows:

"Bill 119 is An Act to prevent the Provision of Tobacco to Young Persons and to Regulate its Sale and Use by Others. It is stated in section 9 of this bill that 'no person shall smoke tobacco or hold lighted tobacco in any...' (page 4) 'school, as defined in the Education Act' (page 5).

"Also it states in section 22: '(4) The right under



section 1 to equal treatment with respect to goods without discrimination because of age is not infringed by the provisions of the Tobacco Control Act' (page 18).

"Even though G. A. Wheable in London is an adult education school and has no persons under the age of 19, G. A. Wheable," which is an adult education school, "falls under the Education Act and smoking will not be allowed on our school property;

"Therefore, the surrounding area residents and the students at G. A. Wheable feel that smokers are being discriminated against. We would like a designated smoking area at the rear of the school."

Although all of these people are not supporting smoking, the intent of the act, as they state, is to eliminate young persons from acquiring tobacco and to regulate its sale, so they feel they're being discriminated against. This petition has been signed by hundreds of students and others at the school, and I'm presenting it on their behalf.

#### FIREARMS SAFETY

**Mr Peter North (Elgin):** I have a petition to the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

#### LONG-TERM-CARE REFORM

**Mrs Barbara Sullivan (Halton Centre):** I have a petition which reads as follows:

"We, the undersigned, are concerned that Bill 173, if unamended, will mean less service, more costly service, a decrease in volunteers and the inability of local communities to ensure the long-term-care system meets their needs. Please build on the current strengths of the system and don't eliminate organizations like VON and Red Cross."

This is signed by hundreds of people from Oakville, Milton and Burlington. I'm pleased to affix my signature, as I concur with the sentiments expressed therein.

#### DANGEROUS OFFENDERS

**Mr Cameron Jackson (Burlington South):** I have a petition to the Parliament of Ontario:

"Whereas Christopher Higginbottom is a known homosexual paedophile who has been released into the Burlington community even though he was diagnosed by medical experts as remaining highly at risk of reoffending; and

"Whereas Higginbottom was acquitted of another sexual assault involving a child on the basis of inappropriate and unjustified conclusions drawn by the trial judge in relation to the evidence of the victim, all of which are unjustified in law; and

"Whereas in rendering the decision to acquit Higginbottom the fact of his breach of probation and the long history of his past sex attacks on children was not adequately taken into account by the judge,

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the Attorney General of Ontario undertake to investigate this case with the view to ensuring that justice is done;

"That she undertake to amend the provincial Mental Health Act to protect citizens against dangerous, high-risk offenders and support federal high-risk offender legislation; and

"That the government of Ontario undertake to entrench within law a bill of rights for victims of crime."

That has been signed by me as well and has my full support.

1500

#### GASOLINE PRICES

**Mr Frank Miclash (Kenora):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the difference in gasoline prices between northern and southern Ontario has long represented a serious inequity between the two regions; and

"Whereas the difference in gasoline prices between northern and southern Ontario is often between 10 and 20 cents a litre; and

"Whereas residents of most northern Ontario communities have no access to public transportation options and are therefore dependent on private automobiles; and

"Whereas 1990 NDP election promises to 'equalize' the price of gasoline across the province have not been kept; and

"Whereas" I, the Kenora MPP, have "called upon the NDP government to keep their 1990 election promises; and

"Whereas the elimination of motor vehicle registration fees for northern Ontario residents does not compensate for the excessively high price of gas in the north;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the NDP government of Ontario fulfil its election promises to the people of northern Ontario by equalizing the price of gas across the province."

That's signed by constituents from Sioux Lookout and Hudson as well as people from Thunder Bay. I too attach my name to that petition.

#### FIREARMS SAFETY

**Mr Peter North (Elgin):** I have a further petition to the Legislative Assembly, also dealing with gun control.

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we do not have a desire to own;

"We, the undersigned, petition the Legislative Assembly as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

That's signed by a number of people from the Perth area of the province.

#### LONG-TERM-CARE REFORM

**Mrs Barbara Sullivan (Halton Centre):** I have a petition to the Legislative Assembly of Ontario from people in St Catharines, Toronto, Mississauga, Sebringville, Markham, Guelph, Windsor, Scarborough and Peterborough. This is addressed to the members of the Legislative Assembly of Ontario and reads as follows:

"Whereas Bill 173, the long-term-care reform bill, if allowed to pass without necessary and appropriate amendments, will result in a lower level of service to consumers in the province; and

"Whereas the enactment of this legislation in its present form will increase the cost of provision of care to the elderly and those in medical need; and

"Whereas the passage of Bill 173 will bring about a decrease in the number of volunteers available to organizations now directly involved in providing service in the field of long-term care; and

"Whereas local communities will lose control and influence over the delivery of long-term-care services even though they are best able to determine local needs,

"Be it therefore resolved that the government of Ontario be requested to amend Bill 173 to comply with the recommendations of service organizations who at present deliver home care to people in communities across Ontario."

This is an important petition and I've affixed my signature to it.

#### HEALTH INSURANCE

**Mr Noble Villeneuve (S-D-G & East Grenville):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the provincial government has recently slashed health coverage by 75% for Ontario citizens who are hospitalized out of the country; and

"Whereas this reduction in coverage will affect all Ontarians but will have the greatest impact upon our seniors, many of whom travel south of the border for important health care reasons and who will be forced to absorb a tremendous hike to their health insurance premiums; and

"Whereas the government has justified its decision on the basis of not wanting to pay exorbitant hospital costs, even though, currently, out-of-country hospital coverage

is based solely on the rates charged by Ontario hospitals; and

"Whereas the reduction in out-of-country hospitalization coverage below the rates charged by Ontario hospitals represents an indisputable violation of sections 7 and 11 of the Canada Health Act; and

"Whereas the Ontario Progressive Conservative Party makes the preservation of medicare a priority in its Common Sense Revolution policy document;

"Therefore, we petition the government of Ontario to act in a fair and just manner by preserving the sacred principles of medicare and immediately restore out-of-country hospitalization coverage to the rates charged by hospitals in Ontario."

I have signed this petition, and it has been signed by some 100 residents of S-D-G & East Grenville.

#### NOTICE OF DISSATISFACTION

**The Acting Speaker (Ms Margaret H. Harrington):** Pursuant to standing order 34(a), the member for Eglinton has given notice of her dissatisfaction with the answer to her question given by the Minister of Health concerning Taxol. This matter will be debated today at 6 pm.

Pursuant to standing order 34(a), the member for Simcoe East has given notice of his dissatisfaction with the answer to his question given by the Minister of Economic Development and Trade concerning CN Rail. This matter will also be debated today at 6 pm.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON ESTIMATES

**Mr Cameron Jackson (Burlington South):** As the Chair of the standing committee on estimates, I beg leave to present our report for the estimates for the fiscal year ending March 31, 1995.

**Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries):** Mr Jackson from the standing committee on estimates reports the following resolutions:

Resolved that supply in the following amounts and to defray the expenses for the following ministries and offices be granted to Her Majesty for the fiscal year ending March 31, 1995:

Ministry of the Solicitor General and Correctional Services—

**Mr Jackson:** Dispense.

**The Acting Speaker (Ms Margaret H. Harrington):** Dispense? Agreed.

*See Votes and Proceedings.*

#### INTRODUCTION OF BILLS

##### CITY OF YORK ACT, 1994

Mr Rizzo moved first reading of the following bill:

Bill Pr147, An Act respecting the City of York.

**Mr Tony Rizzo (Oakwood):** The purpose of the bill is to allow—

**The Acting Speaker (Ms Margaret H. Harrington):** To the member, could you send the bill down to the table, please.

Is it the pleasure of the House that this motion carry? Carried.



## MUNICIPAL ELECTIONS AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI  
SUR LES ÉLECTIONS MUNICIPALES

Mr Runciman moved first reading of the following bill:

Bill 191, An Act to amend the Municipal Elections Act / Projet de loi 191, Loi modifiant la Loi sur les élections municipales.

**The Acting Speaker (Ms Margaret H. Harrington):** Is it the pleasure of this House that the motion carry? Carried.

1510

## ORDERS OF THE DAY

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** Just before I call the order, the House leaders of the three parties have had some discussions. I'll be calling government notice of motion number 36. We have agreed that the Minister of Health, after I move the motion, will speak for 10 minutes, we will reserve five minutes for the parliamentary assistant, the member for Durham-York, to speak at the end of the debate and the opposition parties will split the remainder of the time.

**The Acting Speaker (Ms Margaret H. Harrington):** Is it the pleasure of the House that this agreement go forward? Agreed.

## TIME ALLOCATION

Mr Charlton moved government notice of motion number 36:

That, pursuant to standing order 46 and notwithstanding any other standing order in relation to Bill 173, An Act respecting Long-Term Care, the standing committee on social development shall complete clause-by-clause consideration of the bill on the first regularly scheduled meeting of the committee following passage of this motion. All proposed amendments must be filed with the clerk of the committee prior to 12 noon on the above-noted day. At 4 pm on that same day, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee shall interrupt the proceedings and shall, without further amendment or debate, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. The Chair may allow only one 20-minute waiting period pursuant to standing order 128(a);

That the committee be authorized to continue to meet beyond its normal adjournment if necessary until consideration of clause-by-clause has been completed. The committee shall report the bill to the House on the first available day following completion of clause-by-clause consideration that reports from committees may be received. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to be reported to and received by the House;

That upon receiving the report of the standing committee on social development, the Speaker shall put the question for adoption of the report forthwith, which question shall be decided without debate or amendment and at such time, the bill shall be ordered for third reading;

That two hours and 30 minutes be allotted to the third

reading stage of the bill. At the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment;

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes and no deferral of any division pursuant to standing order 28(g) shall be permitted.

**Mr Chris Stockwell (Etobicoke West):** On a point of order, Madam Speaker: If this government is going to move closure, I think they should have 20 members in the House to see it, so I'm calling quorum.

**The Acting Speaker (Ms Margaret H. Harrington):** Could the clerk please determine if a quorum is present.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** We will resume. The Minister of Health now has 10 minutes for her presentation.

**Hon Ruth Grier (Minister of Health):** I'm glad to have the opportunity to speak today, on a day which is difficult, because time allocation is something that not all of us wish to see with legislation, particularly legislation that has been talked about for 10 years, legislation that has been demanded by seniors and disabled across this province, legislation that is about giving seniors and the disabled, the consumers of the service we're talking about, a system that has one-stop access to a wide range of services that are coordinated and that are integrated.

I know it's that word "integration" that causes the concerns and has a number of people saying that that is not what should happen. But that is clearly what we need if we are to provide the kind of high-quality care and service that people want to have in their own homes and in their own communities.

Why? Because people are tired of the red tape and the frustration that comes with trying to find the services they need, they're tired of the lack of coordination and integration, they're tired of being shuffled from one agency to another, and they're tired of constantly being assessed and reassessed when they need a higher level of service. They're tired of having to make the dozens of phone calls that they or their families or their caregivers have to make when they want to find the care they need from a series of service providers who operate independently and separately from each other.

One of the organizations that has been opposing this legislation said to one of my colleagues last week: "How can you bring this legislation in now? We're working so well with our partners in the system." My colleague said: "I'm glad to hear that. When did you start working with agencies A, B and C?" They said, "Three months ago, when you introduced the legislation." That says volumes about why the voluntary approach to coordination hasn't existed in a lot of communities and cannot be relied upon to provide the level of service, the level of continuity and the level of integration that people need if they are to be sure they get the service they need.

What these organizations opposing our legislation are all about is providing service to seniors. They do it well. They've done it in some cases magnificently, so well that we have said, yes, we want to take what you're doing and create a system that everybody in this province, whether they live in the north or the south or urban or rural areas, can be sure they get a minimum level of service, that their community is funded not on the basis of which organization has existed for a long time or which organization manages to generate the most funding, but on the basis of the needs of the people who live there, on demographic factors, the number of seniors, the need that is there.

If we don't move now to make these kinds of changes, as those demographic changes occur and as more and more of our population ages and, after they've turned 65, live 20 or 30 years longer than just 65 because more of us are turning 65 and more of us are living longer, we won't be able to cope with the demands on the system, and that's very much a reason for reorganizing in a way that creates a foundation for the future.

Many of the people who have been calling for this change for a long time have recognized the improvements in administration that will occur by moving from more than 1,000 organizations, large and small, to a much smaller number, 200, 300 multiservice agencies, organizations that will be run by volunteer boards, that will differ in their composition to reflect the diversity and the makeup of the communities they represent, organizations that will be voluntary agencies, charitable organizations, just like many of the ones that now exist, but will be working on a geographic or a community basis to meet the needs in an integrated way of the people in those communities. Consumers know that doing that will be a more effective use of the money we spend.

The bill will have five broad objectives: to provide that one-stop access; to improve the community-based care; to put the consumer first; to achieve consistency in the system and improved accountability because one third of the boards will be consumers—something my colleagues opposite do not support but which we believe is critical for the accountability of these agencies; and finally, to ensure that locally controlled planning of services is in place by strengthening and clarifying the role of district health councils in the planning process.

I said this had been under discussion for 10 years. Let me remind the House of when it began. It began in 1981 when the Conservative government of the day said we should have a one-stop shopping initiative and that there should be some pilot projects. Guess what? The pilot projects were never implemented.

During the 1980s, there were a number of examinations of our health care system—the Evans report, the Spasoff and Podborski reports, commissioned by the Liberals when they were in government, the work of the Premier's Council, initiated by the Liberals and continued by our government—all of which said we need to reform the way we provide health care, that we need to make long-term care part of the health care system and we need to do local planning and we need to ensure community accountability.

In 1990, the Liberals put out a discussion paper with the model of coordinated agencies that they are continuing to espouse. It was soundly rejected in a consultation in 1991 when 70,000 people across the province came out and said: "Service-coordinating agencies won't work. Integrate the services."

We're doing that in this legislation, but we've already begun to reform the services by our commitment of funding to increase the services. This is a growth industry, and I say to the people who are concerned about their jobs that our commitment to making sure that the people who now work in the system continue to work in the system is solid, and that our commitment is backed by dollars that have increased the number of jobs in the system and will continue to do so.

The growth rate over the last number of years has been phenomenal. Since 1990, funding for community services has increased by over \$30 million. That's a 54% increase, in tough times, from a government that has not got increasing revenue, from a government that is managing the institutional side of the system in a way that enables us to put our money on our priorities.

1520

We have increased integrated homemaker and put it all across the province, something that other governments said they would do and never moved to do. We have put placement coordination in place all across the province so that the agony of finding a place in a nursing home or a home for the aged, agony experienced by the workers in the system just as much as by the patients and their clients, can come to an end.

We have put our money behind our principles and our policies, and this legislation solidifies that. This legislation, for the first time, enumerates what a community-based service must be and the mandate and the basket of services that will be provided. This legislation, for the first time, legitimizes and regularizes the role of district health councils. They have been in existence for 20 years. They never had a mandate or the resources to do effective community-based planning until our government began to give them that mandate and, through this legislation, makes them a reality and recognizes that the best decisions are not made at Queen's Park; the best decisions are made in communities that plan for their own services.

I find the distortion of this legislation unacceptable. I find the obstruction of this legislation unacceptable. I find time allocation regrettable, because I always live in hope that in a democracy we can have a constructive debate about a policy and we can take constructive suggestions from the opposition to improve the policies and the legislation of this government. What we have found in this debate is, as I've said, distortion of the objectives, distortion of what the legislation will mean, and consistent obstruction of our attempts to put people first, to put consumers first and to make sure the seniors and the disabled of this province, after 10 years of promises, finally get the long-term-care system that they deserve and that they demand.

**The Acting Speaker:** The balance of the time between now and 6 pm will be divided equally between



the opposition parties in further debate, and five minutes to wrap up by the government.

**Mrs Barbara Sullivan (Halton Centre):** I will start out by saying that I believe this closure motion is not only regrettable but is reprehensible and unconscionable.

Let me speak to the bill itself and where we are in deliberation on that bill. There are 65 sections to this bill, a bill that, as the minister has indicated, has been a long time coming. It's a bill that people want to be right. This bill, however, was only introduced in June. Public consultation was held on this bill during the summer months and only concluded in September. We are within two or three weeks, I suppose, of clause-by-clause hearings; in other words, six days of clause-by-clause hearings and all of a sudden we have closure.

Let me tell you that there are 65 sections to this bill, not including new sections which the government has introduced by way of amendment to the bill. On top of that, the government itself has introduced 112 amendments, many of them significant amendments, and indeed many of them, frankly, beyond the scope of the bill with respect to the legislation.

My party has introduced 61 amendments to the bill and the Conservatives have introduced 57 amendments. I do not consider any of the amendments that I have introduced to this bill to be frivolous. Indeed, I believe they are singularly important if we are going to have a long-term-care system that will work for people in every part of the province on an equivalent, equal and fair basis.

Of the amendments that have been placed, we have dealt with 70 of those amendments. Of the sections of the bill that have been brought forward, we have carried section 1. Unfortunately, that section will have to be reopened to consider amendments placed by the government and by my own party with respect to first nations. Section 2 has been stood down, although considered in its entirety, so that we may also consider amendments that have been put forward with respect to first nations. Section 3, the patient bill of rights, has been carried with amendments that have strengthened that section, and I will tell you that those amendments came from the opposition. Section 4, at the government's request, was defeated. Section 5, at the government's request, was defeated.

We have been speaking throughout this debate about a long-term-care system that will bring significant improvements to the way people receive access and are treated in the long-term-care system. There is no question that there is an equivalency of support and demand for change in long-term care; there's reason for change and we support change.

Some of the areas where we believe there must be change include simplified access to services; equivalency of services throughout the province on an equal basis, delivered by trained personnel; and the intention that those social services and medical services be brought together so there is no single priority, one over the other.

We believe that community-based services should have a place that is equivalent and that is considered in the long-term-care system on a basis that is equivalent to

those provided by facilities. We do not believe that facilities should be out of the picture. We believe access to services that are provided in the community, whether through an agency or in an individual's home, may well offer an equivalent and even better service to some of that which is offered by facilities. None the less, for some people those facility services will still be required.

We expected, we hoped for and we got some things that are quite right in this bill, and I really object to the minister's repeating incorrect assumptions about my party's own positions, positions I have raised in that committee and across the province, through the public hearing process, and will continue to raise, and about the kinds of amendments I'm putting forward.

We expected coordinated access. We believe we will get increased coordinated access in this bill.

We wanted centralized provincial standards for long-term care. We believe this bill goes a long way in providing that.

We wanted a minimum basket of services, so that people in well-resourced, well-financed areas will not have greater and more extensive services than people in communities with fewer resources. We got that.

We wanted clear rules that were consistent across the province with respect to payment for services. We got that.

We wanted an assurance that the local community would be involved in the planning and implementation of this bill and, over the longer term, in the implementation and recognition of changes that are needed to meet the needs of individual communities. We didn't get that.

We wanted to ensure that there was a caregiver recognition, that when a wife or another family member or a neighbour or another kind of volunteer was supporting someone who required long-term care in their own homes, there were opportunities on an equivalent basis for access to the long-term-care system for respite services for that person. We got that.

We are very, very happy, I will tell you, with much of what we see in this legislation. What we do not see in this legislation and where we part company with this government is an extremely important area.

I want to be very certain that this House understands where and why we part company. I believe sincerely that we part company because the government system as put forward in this bill will not work. There are parts of the province where it will not work for the first second, let alone over the longer term.

1530

We believe, on the basis of their history, their culture, the way their organizations and people work together, the way their consumers are involved in determining what is best for their communities, that communities ought to be able to determine not the what of long-term care but the how of long-term care, how best the needs of a community will be met through a long-term-care system.

The government says it has got all the answers. There is one way, and that is by throwing out organizations like the VON—the VON is going to be bankrupted by this legislation—and by not allowing the Red Cross to be

recognized as an agency under this bill, and the government tells us that it won't recognize Red Cross because the government says that it cannot be assured of the accountability of Red Cross.

I ask you, where has the government been all these years when Red Cross has been delivering homemaking services in every community across this province? Weren't they accountable last week? Why won't they be accountable tomorrow? The government will not allow Red Cross to be recognized as an agency because Red Cross happens to be incorporated under our federal laws rather than our provincial laws. Well, that makes absolutely no sense. Red Cross homemaking—out of business.

What about organizations such as those in my community like Halton Helping Hands? That's one of the 1,200 agencies that this government doesn't like, that they want to replace with one agency. That organization delivers a significant amount of care by people who are caring and who work many hours and long hours and hours that are not totally required by the conditions of their employment to ensure that the patients that they are working with are receiving the appropriate care.

This government believes that care givers don't give a damn about the patients. Let me tell you, that has not been my experience. That is not the experience of patients in my community. That is not the experience of patients in communities across Ontario. Why should Halton Helping Hands all of a sudden disappear? Why should the March of Dimes service all of a sudden disappear? Why should Meals on Wheels all of a sudden disappear? Why should organizations such as Saint Elizabeth, Victorian Order of Nurses, Baycrest disappear?

Under this bill those agencies will disappear and there's a reason that they will disappear. Because the government has said that the centralized agency, the new bureaucracy, the new model, the inflexible template must be the sole deliverer of services. But the government says that agency, that new bureaucracy, can buy 20% of services from outside.

Let me tell you, organizations such as the VON have over the years as a result of the expertise that they have brought into the long-term-care system expanded their services to include areas such as home dialysis. They have specialized in those areas. They have introduced new expertise, new techniques and new technologies to the delivery of those services.

Victorian Order of Nurses, because it will be limited to that 20% narrow basket, will no longer be able to afford to deliver those services because it will no longer have the critical mass of service delivery to stay in business. VON is gone.

Now I suggest when you are discussing these issues with your patients who have had exemplary service from VON nurses and with those volunteers who have worked over a period of years with VON, that you ask them, "Why should VON go?" and you will find that they don't want VON to go. Thousands and thousands of people across this province are writing to this House and submitting petitions and writing to the Premier and they are saying, "We don't believe this organization should be put out of business." I don't believe so either.

The 20% rule is a problem in many other areas, because one of the things that is totally forgotten in this debate is that it's not only seniors' services that are included in this bill but children's services and services to the disabled. They're included in this bill. Indeed there are amendments that have been put forward which are constructive and important amendments that will not be considered in any way. Some of those amendments have been put forward by the government, some by the opposition, but we will not have a time to examine those amendments in any way, shape or form.

There is no understanding, by example, of whether children's treatment centres will be lumped into an MSA. If that's the government's intention, what then for children? What then for the VON? If they're not lumped in with the MSAs, then the VON and Red Cross and the other organizations of which I've spoken don't have a prayer, because the service purchases will have to be made for specialized services, including specialized services to assist children with problems.

I believe that the intention of local decision-making with respect to the planning and operation of multiservice agencies or the long-term-care system is absolutely important if we are going to have an appropriate system where the care needs and the service delivery is appropriately provided.

Interestingly enough, the government talks a good line in this area: "Oh yes, we're going to have a board for this multiservice agency and one third of the members of the board are going to be consumers." We believe that consumers should be on the board of any agency which is involved in long-term-care delivery, but let's look at what this government is providing in terms of powers to that board. Then I ask you, why would anybody want to be involved?

The first thing is that the government mandates all of the services. The government determines all of the money. If the local multiservice agency indicates that it wants to provide additional services to meet particular needs of a particular geographic area or particular needs that are disease oriented, does the local MSA board have the power to add those services? No, it doesn't. Does the local MSA board have the power to decide that certain services that are mandated, that are required, are not necessary? No, it doesn't. Does the local MSA board have any power at all that doesn't come directly from and with the imprimatur of the minister? No, it doesn't.

This government is fooling people when it tells board members of the next MSAs that they will have power. There is no power in terms of funding decisions, there is no power in terms of addition of services and there is no power in terms of retraction of services. We asked that the MSA board have adequate powers so that it could determine and could shape the operation of the MSA to meet the needs of the local community, given that we also want a minimum basket of services that must be applied everywhere in Ontario. The answer was no.

So MSA boards and the consumers who have been supporting this legislation because they feel they will have a greater voice will find that their voices are the voice of the Minister of Health and their views don't



matter. The decisions will be made in the minister's office in Toronto or the decisions will be made in the office of one of the bureaucrats in one of the long-term-care offices around the province if the minister decides that she will share that power with that office. In other words, this isn't a consumer piece of legislation; this is the Minister of Health's legislation. The Minister of Health is the only one who has the power to make change.

There's another area where this bill is misleading, and I don't think in fact that there are amendments that can change this. But I really believe that people across Ontario have been led to an understanding that if they are receiving care in their homes, there will be one person who will be coming into their homes to provide that care, whether that care is a homemaking service, whether it's assistance with daily living activities or whether it in fact is the delivery of health or professional services, such as nursing services and so on.

1540

People have been led to believe that there will be one worker who will provide those services. I will tell you that this is totally misleading. A nurse will not be doing the shopping or paying the bills and providing other services that have been traditionally provided as a community support service, as a homemaking service to people. A nurse will not be providing those services. A social worker will not be providing those services.

People will be providing services for which they are trained and for which they are paid, according to their training and according to their skill levels. To suggest to people that their lives will only be interrupted or involved with one person now is completely off base. It will not happen, yet the government continues to advise people that this is going to be one of the major improvements under this bill. I tell you it will not happen.

One of the issues we have been very concerned about in this bill is the mix of services that can be purchased from outside, and I think one of the most telling presentations to the committee was from a group of people who suffer from respiratory ailments. These are very, very severe respiratory illnesses. They live in a scenario where services are not available in local communities. Indeed, for the specialized services that they require, they will have to be transported across geographic borders to specialized areas for the devices, for the assessment and for the evaluation that's necessary to their continuing life, as a matter of fact.

One of the things that is highly problematic in this bill is that the services which are provided to people in that situation are limited to a specific geographic area. We have an amendment that would ensure that in specialized circumstances, on an as-needed basis, those individuals who needed those services elsewhere would be able to receive them beyond the local MSA. You know, we won't even be able to get through that amendment to discuss it. I believe that if the government heard that debate, it would probably accept that amendment. It's very clear now that the government is going to turn down all amendments of that nature.

But the government has put forward some interesting

amendments. One of the most interesting is one that clearly the government had a great deal of trouble with, and that's an amendment with respect to successor rights under this bill. While we were in public hearings, we heard on many occasions that it was very important that since these organizations were going to be put out of business—they would no longer exist—those individuals who would be displaced through the creation of new multiservice agencies ought to be considered in a fair and equitable manner for employment in a new agency.

Madam Speaker, you will know from your own experience in your community and from the work you've done around the province that in certain sectors, particularly in the home care sector, more than 90% of workers do not belong to unions. It was our contention throughout and the contention of frankly both those organizations representing union workers and those organizations representing non-union workers that there should be an equivalency and a fairness and an equity in the treatment of individuals who were displaced and who would be considered for work, whether they were union members or non-union members.

Indeed, when the government brought in its first amendment to the bill with respect to successor organizations and how workers would be treated, we looked quite favourably on that first amendment. It appeared not to discriminate between workers who had belonged to unions and workers who did not belong to unions. It did not place a value judgement on anything other than the work and the skills and the length of service.

We probably would have supported that. We thought that was a reasonable amendment and we wanted to ensure that there was equity and fairness in the treatment of workers no matter what kind of scenario, no matter what kind of background they came from. Their union membership or non-union membership was incidental to the work they would be doing and to the consideration that should be based on their rehiring.

Since that first amendment was put, two new amendments have been put. They have replaced the earlier amendments, and the new amendments, particularly the last one—I will refer to it.

The new amendments do two things. In the first case, the new amendment overrides section 54 of the Labour Relations Act so that the labour relations board will not now be able to make a decision with respect to the continuation of non-union status if there happen to be more non-union members who are hired in a particular situation. In other words, the labour relations board now—and I want to be very careful that people will understand this. The labour relations board now, under the Labour Relations Act, under section 64, has the responsibility and the power to review those successor scenarios and to identify whether in a successor situation the new hires are in fact reaching a level where the majority or X number that the labour relations board would find appropriate would mean that a new union situation would automatically follow, or whether in fact in that situation a new union drive should begin.

This bill indeed overrides that section of the Labour Relations Act and says that no matter how many union

workers are rehired or would be hired, or jobs would be created and former union members would be hired, there would automatically be a union situation without a vote, without a determination by the workers themselves if they wanted to join a union. Well, the ex-Minister of Labour—

**Mr Jim Wilson (Simcoe West):** On a point of order, Madam Speaker: I'm sorry to interrupt my colleague's remarks. However, I think the remarks are important and there should be a quorum in this House and I ask, do you see that?

**The Acting Speaker:** Would the clerk please determine if a quorum is present.

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The acting Speaker ordered the bells rung.*

1550

**Clerk Assistant and Clerk of Committees:** A quorum is now present.

**The Acting Speaker:** We will resume the debate. The member for Halton Centre has the floor.

**Mrs Sullivan:** I was referring to the government amendments to section 15, particularly with respect to the changes which the government is putting forward for this particular situation of long-term-care services where the activity of the labour relations board, under the Labour Relations Act, has been changed.

Indeed, what the government is doing with this particular amendment is not simply to have a representation vote to ensure that those people wanted to belong to a union. The government is overriding that and saying that a bargaining unit will exist no matter whether there is appropriate representation of prior union members or not.

But even more difficult in the government's amendments to that section of the bill is one which would give priority to union members in new hires, in newly created jobs, under the MSA.

As I've indicated, some 90% of people in home care, many people who are providing home nursing, many people who are providing other home or community-based services that are long-term-care services for long-term-care clients are not unionized, and there are a few who are.

What the government has said in its amendment to subsection 15.3(3), is that the MSA will offer jobs first to unionized workers before non-unionized workers are offered positions. That bill, and I will read the section of the amendment, now reads:

"If a position performing work transferred from a previous employer is in a bargaining unit, the successor employer shall make offers to persons employed by the previous employer in descending order of seniority, as defined in the applicable collective agreement, before a position is offered to a person not represented by the bargaining agent."

In other words, if you are, as a woman who spoke to me today is—a 58-year-old woman in Kitchener. She's worked for 14 years as a Red Cross homemaker. She earns \$11,000 a year. She does not belong to a union. I

will tell you, she will not have a job. That's the effect of this legislation. That is the precise effect of this legislation.

**Ms Evelyn Gigantes (Ottawa Centre):** That is nonsense.

**Mrs Sullivan:** If that is not your intent, then go back and redraft the amendment to reflect your intent. Right now, this amendment will say that union workers have priority. There is no fairness, there is no equity. You are saying that the value of the non-union work performed is less than that of a union worker.

**Hon Mike Farnan (Minister of Transportation):** Stay with the facts.

*Interjections.*

**Mrs Sullivan:** This is unconscionable. It is unacceptable. The people in Ontario do not want this. It is absolutely outrageous and it is misleading for government members from across the way to deny the legal words they've written down. The government is saying that the value of work that's done by non-union workers is of a lesser value than the work done by union workers.

*Interjections.*

**Mrs Sullivan:** I suggest to you, Mr Farnan, and you, whoever you are, that you read your own legislation and your own amendments.

The government has and we have and the third party has put forward amendments to this bill with respect to the first nations.

We had several meetings, I think each one of us, with respect to concerns that were put forward not only in the public hearings but latterly from representatives of first nations with respect to how long-term care would be delivered following an agreement with the Minister of Health that first nations would themselves direct and operate and deliver services as if they had a multiservice agency in their own situations.

We won't have a chance to talk about those amendments because we have closure. We will not have a chance to discuss how the agreements will be made. We will not have a chance to debate in committee issues associated with the relationship of DHCs to first nations, of other MSAs to first nations. Those have not been brought forward in committee at this point. We stood down two sections of the bill so we would have an opportunity to consider, after the government had an opportunity to prepare its own amendments, amendments that would affect first nations.

There will be no discussion. There will be no public understanding of what is on the table, of whether improvements to what the Minister of Health has put forward might be needed or whether what the Minister of Health has put forward is in fact appropriate. We don't think that's acceptable. But on the other hand, we didn't bring in closure.

There are other areas where the government has brought in substantial amendments that don't have anything to do with this bill. That's with respect to consent to treatment. A huge package of amendments—the government has not referred to them once in committee, but there they are.



**Hon Fred Wilson (Minister without Portfolio and Chief Government Whip):** Spend, spend, spend.

**Mrs Sullivan:** It's your government's amendments that are not being discussed. It's the importance of your government's amendments that are not being discussed.

**The Acting Speaker:** Please address the Chair.

**Mrs Sullivan:** Let me tell you, Madam Speaker, it is the government's own members who have provided much of the filibuster in this committee. It appears all the way through the operation of this committee on clause-by-clause that the government members didn't know who was carrying this bill. There happened to be three parliamentary assistants in the committee, one ex-minister. They all have to talk on everything, don't they, despite the fact that a parliamentary assistant, Mr Wessinger, has the lead on the bill and, it is assumed, has the knowledge and the skill to carry it. Closure came about, I say to the House leader, despite the fact that your own members had filibustered your own bill.

We have indicated that we believe that local communities ought to be able to determine the model of service. There should not be an inflexible template that is spelled out by the province with respect to the how of implementation of long-term-care reform. So far, we've been rebuffed. We are at a significant amendment to be placed before committee that would ensure that local communities would determine how best long-term-care reform could be brought to their people.

Clearly, the government is going to vote down that amendment. There will not be adequate time for debate. There will not be adequate time to ensure that the mix of services, the addition of services, the shape of services that are offered can be determined by local people based on what local needs are. The government says: "No, there is one model. It's our model. It's our way or the highway." We are deeply, deeply concerned that as a result of the government's intransigence in this area, this legislation will not work.

1600

What that means is that those parts of the bill that we support, those issues that we believe are fundamental and very, very important in ensuring that we do have a long-term-care system that works, will in fact be passed by, they will be lost. I will tell you, it's our intention, if we form the next government, to bring appropriate changes to this legislation to ensure that local communities and local people will have a say. They won't be overridden by the minister and they will be able to shape the how of long-term care in a way that best meets the needs of local areas.

I am outraged, I am deeply upset, along with thousands of people throughout this province who will lose their jobs, who will lose their caregivers and who will lose the kind of accountability that they have within their own communities. I think this is madness, and not only is it madness but it's outrageous that the government is so determined to proceed that it will cut off discussion.

My sense is that the government has cut off discussion for one reason. Some time ago, included in a report that was presented to our committee by the Senior Citizens'

Consumer Alliance for Long-Term-Care Reform, was a report prepared for the consumer alliance by Price Waterhouse, which contained information which was latterly described by KPMG as not consistent with the approach taken by Ernst and Young on an earlier study with respect to the costs of long-term care, nor was this report presented with information that met generally accepted financial management reporting practices.

Subsequently, on November 15, you will recall that I stood in the House on a question of privilege to read a letter written to Mr Ted Ball representing the Senior Citizens' Consumer Alliance from Price Waterhouse, which in an unprecedented, absolutely unprecedented, scenario withdrew its report to make appropriate changes to the cost impact methodology.

I will tell you, the withdrawal of that report is the talk of Bay Street. This doesn't happen. It happened because Price Waterhouse understands that the figures it presented and the analysis it did were inadequate for us to use as part of our analysis or to depend on, and it's been very interesting throughout this debate that the government, in the absence of studies conducted by itself, has relied on that Price Waterhouse report.

That's the report government members have referred to, that's their expertise, that's where their documentation comes from. They didn't do it on their own. They funded it, and that's fine. I admire much of the work done by the Senior Citizens' Consumer Alliance, but as soon as the rug was pulled out from under the government by the very people who presented the erroneous report in the first place, the government brought in closure.

You can't have it both ways. They haven't done their own studies, and when the study they've relied on all the way along is proven to be flawed, they say: "Let's get this bill out of the way. Let's get this situation over. We're done. Closure. Stop debate. No more discussion."

People who are receiving care in my community and in communities represented right here in this House are saying: "This debate shouldn't be over, because this isn't what the consultation showed we wanted. It is not what the consultation showed we wanted."

What the consultation indicated was that people wanted increased accountability, they wanted local autonomy, they wanted single access, they wanted improved coordination. They didn't say anything about wanting to get rid of VON and Saint Elizabeth and Meals on Wheels. They didn't say anything about that. It was never contemplated. It was not part of the consultative process, but that's what they've got. Because that's what the government wants, that's what they're going to get.

I am going to conclude my remarks now because some of my colleagues want to participate in this debate. I am distressed that the government is limiting the time we will be able to put on this bill. I believe that some vitally important matters will not be addressed in any way. There will not be a reasonable exchange of views, there will not be reasonable consideration, there will not be an opportunity for improvement, and there will not be an opportunity to register objections.

Unfortunately, my conclusion is that as a result of that

we're going to end up in a situation that's going to have to be corrected down the line. Changes will have to be made. The necessity for those changes could have been avoided if the government had paid attention to what people were saying.

**Mr Jim Wilson:** It's indeed a very, very sad day for the province of Ontario. For the 18th time since coming to office, the NDP has brought in closure. Every time this government doesn't want to hear from the people whom it is affecting with its legislation, it closes us down.

Today, closure has been brought in on Bill 173, which is phase 2 of long-term-care reform. It's a sad day for many other people outside of this Legislature—or sitting in this Legislature; some of them are actually with us here today. They're members of our health care team in Ontario who will be put out of business and lose their jobs as a result of some last-minute amendments to Bill 173 that we just saw this week, and as a result of some of the original content. I'm referring to the 80-20 rule, which I will elaborate on in a few minutes.

I think it's important from the beginning, because this is one of the very last opportunities I will have to speak in this Legislature on this very important piece of legislation, that I point out to members something of historical significance. It is the first time that a very large coalition of some 27 associations concerned about Bill 173 has come together to oppose the government en masse with respect to a piece of legislation. I think it's important that in this House we get the names of all of those associations on the record:

The Association of Ontario Home Care Therapists, the Association of Local Official Health Agencies, the Association of Ontario Physicians and Dentists in Public Service, the Business and Professional Women's Clubs of Ontario, the Canadian Red Cross Society, the Catholic Health Association of Ontario, the Catholic Women's League of Canada, the Council on Aging for Ottawa-Carleton, the Federation of Non-Profit Organizations Working with Seniors, the Lambton Alliance, the Ontario Association of Medical Laboratories, the Ontario Association of Non-Profit Homes and Services for Seniors, the Ontario Association of Residents' Councils, the Ontario Community Support Association, Ontario Home Care Case Managers' Association, Ontario Home Care Medical Advisors, Ontario Home Care Programs Association, Ontario Home Health Care Providers' Association, Ontario Home Respiratory Services Association, Ontario Hospital Association, Ontario Medical Association, Ontario Nursing Home Association, Ontario Nursing Home Volunteers, Ontario Psychogeriatric Association, Saint Elizabeth Visiting Nurses' Association, Victorian Order of Nurses (Ontario) and Villa Charities, not to mention the Red Cross, the VON, as I've said, and Saint Elizabeth, those people who will lose their jobs because this government, in its attempts to bring long-term care to fruition in this province, has very much misled the public about not only the content of this legislation but also what its effect will be on our community-based service sector in the province.

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The minister said in her remarks at the beginning of

this debate that the opposition, and by inference, all of the members of the 27 associations I've just read into the record, are misleading the public. In fact, the facts point to the opposite, that the government is not being truthful.

What this bill truly shows us today is the hidden agenda of the NDP, that is, to unionize a sector of our health care community that is on average about 50% non-unionized now, a sector that their Bill 40 job-killing labour legislation was unable, in the NDP's and unions' eyes, to go far enough to unionize this sector. Therefore, Ruth Grier and the NDP today are bringing forward this legislation to do what Bill 40 couldn't do easily. I will talk about that in a few minutes and read to this House the legal opinions we have with respect to the unionization drive.

It's a sad day for all of us in Ontario who will some day need long-term-care services. It's a misrepresentation at the very least by this government to say that since 1975 nothing has been done in long-term care in this province. It is an insult to the thousands of nurses and homemakers and caregivers in the community-based sector to contend and to continually tell the public that nothing's been done since long-term-care reform began to be discussed in Queen's Park around 1975.

That is to say to the public that three governments have done nothing. That is to say to the VON and the Red Cross and Saint Elizabeth visiting nurses, the three largest players in the community-based sector now, that their efforts have not been appreciated, that they've done nothing to reform and to meet the needs of the people of this province and that three successive governments have done nothing.

I say that history does not support the minister's contention or her government's contention. Even the NDP extended the integrated homemaker program, something the minister a few months ago took great pride in announcing to this House. That was some reform in long-term care.

It's also untrue and misleading to suggest that when the government had its public consultations on long-term care—it heard from seniors, the disabled and the people most affected by long-term care, community-based services—those people told the government that there should be a monopoly created in terms of a multiservice agency to deliver services; and to say, as the government claims, that those people and the seniors' alliance and the very small number of people now that the government has on side, as opposed to the 27 associations, the thousands of volunteers and the literally millions of people in this province who I know oppose this legislation, for them to claim that seniors wanted the VON, Para-Med, Saint Elizabeth visiting nurses, Villa Charities, March of Dimes and some of the services it delivers, Red Cross, to say that anybody wanted them put out of business during these consultations, history and the records of those consultations themselves do not show that was the case.

Diane McKenzie was in the members' gallery today. She's a VON nurse from the Caledon area. She was a facilitator during the consultation process and asked seniors what they wanted in terms of long-term care. In



fact these meetings took the form of asking seniors what their wish list would be. Seniors talked about one-stop access. They said there was some confusion out there now as to what agency they were to go to for help and that one phone number in a geographical area would be very handy and would be very sensible. That's what was essentially meant by one-stop access, that there be one number to go to in a simplified access process to get into the long-term-care services.

Not once in those public consultations and the research we've done did they discuss at all eliminating the VON and the Red Cross and Saint Elizabeth. People said they were somewhat confused about the current rules; they were confused about some of the rules surrounding eligibility and the different programs we have out there now. They were somewhat confused, as I said, with respect to how to access the system, and I should say that this wasn't true throughout the province. In my area of the province I have not had complaints over the years about accessing long-term-care services. Simply, what the government is attempting to do is to correct a wrong that didn't exist in some areas. If MPPs would do their jobs when people call their offices and they would properly refer people to agencies, then there wouldn't be a need for some of the measures in this bill.

The minister spoke about the opposition not being cooperative in its approach to this legislation. Again, that is not exactly at all what history will show. We spent a few weeks listening to the public during the open consultation that took place around Bill 173 during the standing committee on social development.

What we found was that contrary to the government's public diatribe about this legislation, over 95% of the presenters who appeared before the standing committee, including the written submissions, claimed that the government had got it wrong. They took what they heard in those public consultations at the beginning of long-term-care reform and somehow they introduced their own twist to this legislation. The twist came in the form of the monopoly they're creating, the monopoly that not only will an MSA be one-stop access but it will also have a monopoly on the delivery of services in this province.

That was a typical socialist, ideological twist, and I waited patiently for weeks for the government to tell us in committee exactly why they needed to create a government monopoly in the face of all the evidence which indicated that they should not do this, that bigger is not better, that there are other ways to improve access to the system without destroying the good people we have out there now. I did not hear a logical or even coherent and sensible argument from the government as to why they needed to create this monopoly and drive all of those people who work for the existing agencies out of business.

You could not and cannot get a good reason for this from the government. The only thing the government could hang its hat on was the Price Waterhouse study that was presented to the committee by the seniors' consumer alliance. Well, lo and behold, this week Price Waterhouse, a major accounting firm in this province and country, in an unprecedented move wrote the following

letter to the Senior Citizens' Consumer Alliance. It was addressed to Mr Ted Ball:

"Dear Mr Ball:

"Several concerns have been raised about the approach followed in our report for the Senior Citizens' Consumer Alliance titled A Comparison of the Administrative Component of the Current and Proposed Home Care Systems in Ontario, dated August 31, 1994. Our firm is withdrawing the report. We will review these concerns and reissue the report with appropriate changes to the cost impact methodology.

"Yours very truly

"Neil Stuart

"Partner"

Unprecedented. It clearly was a major blow to the government's case that the MSA monopolies would be more cost-effective, provide better coordination, better access to our long-term-care services.

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But typical of this government and other very small groups that were in favour of the bill, mainly OPSEU and CUPE and the unions who before our committee, they used the Price Waterhouse study to try to convince legislators that the NDP's MSA model was the way to go. It was the only thing they could hang their hats on. Even in the face of the fact that study is now no longer in existence and that its validity was not only questioned but successfully challenged, the government moves ahead.

Shortly after the Price Waterhouse blow, there was another major blow to the people of Ontario and the service providers, and that was with the section 15 labour amendments.

Today we have closure simply because the government knows that if we were to continue in committee for a few more days, more and more citizens would begin to understand very clearly that the true agenda of Bill 173 is not improved services to the people of this province, and it's not all the rhetoric that the government's been using to sell its legislation; they want to unionize, to pay back the unions as one final attempt to make amends because they certainly lost union support when they unilaterally opened up collective agreements during the social contract. They've certainly lost union support on just about everything else they've ever done.

We're going into an election period, and this is the last attempt in one of the largest sectors in our province, the health sector, to try to get a few of the union bosses back on side. That's what this is. There is no doubt that the amendments brought in at the 11th hour by the government facilitate the ease of unionization in this sector.

We have a legal opinion that says in part:

"The most recent amendments to the bill appear to require that jobs must first be offered to unionized workers before any non-unionized workers are offered positions. The difficulty with this approach is that it fails to recognize that the vast majority of the home support sector is not unionized. The employees in this sector have largely not chosen to be represented by trade unions."

It concludes by saying:

"The new amendments appear to further disadvantage non-unionized workers in this sector. The amendments may have the effect of causing the MSAs to be automatically unionized where only a small fraction of their employees were previously represented by unions. This would have the added effect of disenfranchising the formerly non-unionized workers."

The Ontario Hospital Association also shared with us their opinion on the section 15 labour amendments. It says with reference to section 15.2(2):

"In this new section, the Ontario Labour Relations Board is restricted from using its powers under section 64 of the Labour Relations Act to remove union status from employees who were unionized prior to the transfer. This would appear to allow unionized employees to remain unionized even where they are transferred to a non-unionized setting."

In commenting on the next section, the new section that the government brought in this week, the OHA says:

"This section replaces the previous sections 15.3 and 15.4 and ensures that unionized positions that are transferred must be offered to unionized employees from their previous employer in the order of their seniority prior to offering such positions to non-unionized employees. By removing the earlier proposals for section 15, the placement on the basis of length of service is removed and the ability to displace someone based on relative length of service is also removed."

Dan Stapleton from the Ontario Community Support Association said, "This means that a non-unionized, long-term-care worker with 20 years of experience could be pushed out of the system by a worker who has been on the job for four months."

Talk about the ultimate in unfairness. I recall the Premier of this province, in the last election campaign and in the years and months leading up to that campaign, talking about fairness, and yet there's been nothing fair to employees in this sector of health, nothing fair at all, contained in the newest version of this legislation.

All I can say to the people of the province is that I hope you're able, in a very few short days, to muster up opposition to the government. This is the party, the NDP, that invented the picket, the protest and the petition, and I think it's time to throw all the weapons in our arsenal against this government or it will be the end of many, many non-unionized jobs in the community-based sector. For the record, currently the VON, the Victorian Order of Nurses, is 75% non-unionized and 25% unionized. The Red Cross is 50% unionized, 50% non-unionized. Saint Elizabeth visiting nurses is 100% non-unionized and has 900 employees. There will be little option for non-unionized employees in the sector now but to unionize in order to get in the waiting line for a job when the new MSAs are created.

I can only tell the people of this province that during this death-watch period of the NDP government here at Queen's Park—because clearly the NDP are toast in this province. I firmly believe that the people of this province will reject your government, your leader—I don't even think he'll win his own riding—they will reject your

legislation, and they're looking to a new government to amend what you are passing in Bill 173, to scrap your Bill 40 labour laws, your Bill 91 farm labour laws and a number of other things; the list grows every day.

So on behalf of my colleagues in the PC caucus, I make the commitment today, and Mike Harris has made the commitment, that we will scrap the NDP's MSA model, with its 80-20 rule monopoly. We will scrap it because we think it is immoral for any government to do a unionization drive for any sector of our economy, because unions must be grass-roots movements, because unions must be sought after by people on their own accord, and it is not the role of government, and has not historically been the role of government in this province, to do a unionization drive for the big unions in this province.

There are many, many other problems, that we've talked about in committee, with this legislation. I want to just for a moment talk about the 80-20 rule. For those at home who may not exactly know what the 80-20 rule is, it is this little twist of NDP ideology that got injected into long-term-care reform that says that 80% of the services that are being provided under Bill 173, those long-term-care services, those people who are visiting your homes now if you're the frail elderly and the disabled—they will be put out of work in the agencies they work for now, like the VON, Red Cross and Saint Elizabeth, the most often-cited ones; they will be put out of work and have to go to work for the government.

The government says they're setting up community agencies that are either not-for-profit or co-ops and that a third of the people on these MSA boards will be "consumers," however they define that. We all want consumer participation. The Tories have a bill of rights that includes that in health care, and more, to ensure that people have a full say in the direction the health care system goes. It's interesting that when they delist 20 things out of OHIP like circumcision, IVF, torn ear lobes, removal of port wine stains, and here they delist a couple of things with respect to home care, when they do that they don't want to hear from the public, but when they're doing a unionization drive they don't mind stacking their own consumers on these local boards.

1630

I think they're going to have a heck of a time getting volunteers for these MSAs when the people out there read Bill 173 and find out that these MSAs are simply fronts for government policy. There is nothing left to decide. This bill is so overly prescriptive that I don't know what decisions the consumers are going to be making when they get together with their compatriots at the local level. There's nothing left to decide. If they did have a stroke of genius about how to deliver something in a more cost-effective way or in a better way, they'd need the approval of the minister here at Queen's Park. There is no local autonomy, as the government tries to tell us there is. Local decision-making is done. It's cut and dried in this legislation. There's nothing left to decide.

With respect to this monopoly, the 80% of services in effect might as well read that 100% of services have to



be delivered by the new multiservice agencies, because there won't be enough business, to put it simply, left over in the sector for any of our existing service providers to bother keeping around the bit of administration that would be required to serve such a small part of the sector. It will not be cost-effective for the Red Cross and the VON and certainly Saint Elizabeth to keep a few people around to administer such a small part of the sector.

The 80-20 rule is simply an expropriation of services, and this is how the government uses its wordsmithing to try and convince the people that it's not creating a monopoly and not putting these other existing agencies out of business. It says they can still exist and they can compete for the 20% of the market that's left over. They won't in any way acknowledge what those agencies are telling us, that is, that they cannot exist and the commercial agencies cannot exist. In some parts of these community-based services, the commercial agencies are providing in some parts of our province about half the current services.

At the end of the day, when you wipe out everybody who's doing community-based services now, when you wipe out the 75 years of the Canadian Red Cross—since 1908 Saint Elizabeth has been delivering services in this province, long before government ever thought of the idea. The churches and denominational organizations and volunteers in our communities were helping the frail elderly, the disabled and all others affected by long-term-care services long before this government came along and decided to create a monopoly.

I don't think the government should get away with this, to put it at its mildest and most polite expression. This government, in bringing in closure at such a critical time in the clause-by-clause discussion, clearly doesn't want anyone to understand truly what it's doing. They don't want us to have the ability to get the word out. Eighteen times they brought in closure. In the days when the NDP was in opposition, we would have had to peel NDP members off the ceiling. They'd have been screaming bloody murder if the government of the day had brought in closure on anything, and they did. In the few times it occurred under a Tory government over 42 years, the NDP were hanging from the chandeliers, screaming that it was absolutely against democracy.

Two years ago, and the people of this province should know this, this government took away many of our rights as legislators to represent the people of Ontario. It changed the House rules in a dramatic way in this province. No longer can you do a Peter Kormos 17-hour filibuster, which put the NDP on the map in this province and convinced a number of my constituents in the last election that the NDP had a corner on compassion, because one of its members stood up for 17 hours and talked about something he truly cared about, on behalf of the NDP party.

What are the new rules? At the most, the first speaker on a bill can speak for one and a half hours. That's it. Every subsequent speaker for that caucus can speak for half an hour. That's it. The rules have been stacked against the opposition to do its job, they've been stacked

against democracy, and you still bring closure in 18 times. The fact that we've got concerns in committee, the fact that committee might take just a little bit longer than you're prepared to wait, might tell you that you've got one of the stupidest bills here in the history of the province. It might tell you, you bunch of thickheads, that there's something wrong with your legislation.

**Hon Mr Wilson:** Jim, come on, now. A little control here.

**Mr Jim Wilson:** Mr Speaker, it's hard not to get excited about this. We sit in committee trying to make logical points to people on the other side of the table, on the NDP side, who—

**Mrs Sullivan:** On a point of order, Mr Speaker: It appears that there isn't a quorum of thickheads in the House.

**The Acting Speaker (Mr Noble Villeneuve):** Could you please reword that?

**Mrs Sullivan:** I call for a quorum, Mr Speaker.

**The Acting Speaker:** Could the Clerk check for a quorum.

**Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries):** A quorum is not present, Speaker.

*The acting Speaker ordered the bells rung.*

**Senior Clerk Assistant and Clerk of Journals:** Speaker, a quorum is now present.

**The Acting Speaker:** The honourable member for Simcoe West may resume his participation.

**Mr Jim Wilson:** Mr Speaker, even with the rule changes around here which mean that if we all took the time allowed in this House to debate every bill the government would still get its way with its majority in just a few short days on each piece of legislation, even with that, they have to bring in closure. So the hidden agenda there, or not so hidden any more, is to bring in closure, not because they can't get this bill done in the normal way before Christmas, but because they don't want us to have the opportunity to tell the people of Ontario what this bill is really about. I'm speechless as to how a government is allowed in a democracy to get away with this.

**Mr Anthony Perruzza (Downsview):** How can you say that with a straight face when—

**The Acting Speaker:** Order. The member for Downsview will have his opportunity.

1640

**Mr Jim Wilson:** If the government were serious about allowing us enough time to debate this legislation, it would have called Parliament back five weeks earlier, when by law it was required to sit. The parliamentary calendar is clear, Mr House Leader for the NDP. This House was to come back five weeks earlier. You passed a motion using your majority to bring it back later because you don't like question period, you don't like hearing the truth about legislation and you sure as heck don't want to give us the opportunity to tell the people of this province what this legislation and other draconian pieces of legislation you've got on the order paper are all about.

Not only do I hope the people of Ontario rise en masse next week to tell this government what it thinks; I want to throw back at the government one of the best briefs I think we had, one of the most honest briefs from one of its own friends.

The Christian Labour Association of Canada talked about the 80-20 rule. They talked about this bill creating a monopoly. They talked about the huge bureaucracy it would create. They talked about driving commercial providers out of the system. And they spoke about workers losing their choice under this legislation.

One section of their brief is entitled "Why the requirement that MSAs deliver service?" Remember, during the consultations, the people of Ontario told us, "We want coordinated, easier access," but nobody told us to create a monopolistic delivery service model.

This union, which is the third largest union, said:

"The elimination of diverse services will occur because of the requirement that the MSA not only ensure access but also deliver at least 80% of the service. This reduces consumer choice."

That was something I thought the NDP used to stand for in this province.

"It also places the MSA in an inherent conflict-of-interest position. The MSA will have control over funds, be responsible for ensuring that regulations are upheld and manage the delivery of service. At the end of the day, all these functions will report to a single board of decision-makers who inevitably will have to rely on the professionals who will run the MSA on a day-to-day basis.

"By virtue of the provisions of this bill, MSAs are being placed in virtual monopoly positions responsible for the total delivery of long-term-care services. Whenever a monopoly position is afforded, questions of accountability are crucial."

In the section entitled "Government bureaucracy—more efficient?" this union stated:

"When our members ask us why the government is proposing to eliminate the various agencies that currently serve the community and replace them with a government agency, we have provided the government's stated rationale: This is supposed to eliminate the duplication of management and overhead costs and increase the coordination by placing them within a single agency.

"The response usually runs something like this: 'You mean the government actually thinks that one of its agencies is going to reduce overhead costs by creating a new bureaucracy? By the time they have their directors, communications persons, newsletters and consultants paid for, I doubt a penny will be saved.'"

Clearly, the withdrawal of the Price Waterhouse report earlier this week indicates that reputable accounting firm also had its doubts as to whether a penny would be saved.

My time is up. Other colleagues want to discuss this legislation. I just want to say to the government that one of the most enjoyable things I do each year in a non-partisan way with colleagues from Simcoe county who represent the NDP is attend a number of Red Cross

volunteer award recognition days throughout the county.

In a very short period of time, I doubt I will have the privilege of attending those days to thank volunteers with the Red Cross, of which there are some 10,000 across this province, because if this legislation goes through and is enacted by the government, those volunteers will not be with the Red Cross. There are a myriad of other agencies outside of this sector that those volunteers will transfer their loyalties to.

The proof is in Quebec. That province created CLSCs, a similar type of monopolistic model for access to health services. Three weeks ago in Montreal, I spoke to the former parliamentary assistant to the Liberal Minister of Health there. He told me and others at a public gathering that, "Yes, Jim, we did kill volunteerism in the province of Quebec." In fact his exact words, for the record, were, "We virtually eliminated volunteerism in the province of Quebec."

In committee, when we asked the government to provide information about the Quebec model and its effect on volunteers and the millions of dollars that volunteers raise and contribute to the delivery of services now in our province, they refused. They refused to provide that basic research which used to be the democratic right of any member of this Legislature. They refused to bring forward their own costing, their own cost-benefit analysis.

They relied on the Price Waterhouse study. It gets pulled and they're unable to come up with one iota of a study to show that what they're claiming, what they're telling the people of the province, is at all true: that MSAs will be more cost-effective, that MSAs are the way to go and that a monopoly is good for you. They're unable to show in any factual way with 12,600 bureaucrats in the Ministry of Health—they can't come up with one piece of paper that shows that MSAs will be more cost-effective. That is an absolute disgrace.

As I end, the only thing I can say is that I have some good news for the people of this province. The good news is that you bums will be thrown out in about seven months. If the government lawyers are telling us the truth, they tell us they haven't got any of the regulations written yet.

For once I say, "Thank God," because if my calculations are correct, it should take them—and if I have anything to do with it, it will take them—several months to write the regulations to this legislation and, therefore, my hope and my prayer is that you won't be in government to enact this legislation, to proclaim this legislation.

The people of Ontario will clean house in this Legislature. They'll clean that side of the House and if they had any doubts in the past of the need to clean house in this Legislature on the NDP side, today Bill 173 is proof positive that hidden agendas must not be tolerated, that hidden agendas do exist on all of their legislation and that they deserve to be thrown out of office. They do not have a mandate from the people on Bill 173; they do not have a mandate for much of what they've done. They know they don't have a mandate, so they bring in closure to silence anyone who might have the common sense to oppose you.



**Mr James J. Bradley (St Catharines):** Thank you very much for the opportunity to participate in this debate although, as was the case the other day in the debate where we were dealing with an issue of the government applying time allocation or cutting off the debate on this particular piece of legislation, I'm not so pleased that I'm speaking on this legislation. I wish it were instead exclusively on the contents of the bill and where I believe the bill can be improved or withdrawn and brought back in a form that would gain a consensus in this House.

I'm not going to get into a partisan rant this afternoon about this. There are days where I probably do get into a partisan rant about things, but I'm not going to this afternoon. I want to, however, deal with some of the problems that I see with applying time allocation on this particular bill.

1650

I think it bears repetition that this is a rather unique session of this Legislature. This Legislature is supposed to be in session approximately from the third week of September until about mid-December; that's the normal parliamentary calendar that we have. All of us would expect that we were going to sit in that, each one of us. Our constituents, I know, believed that we were sitting. They saw the federal House sitting and they assumed that this Legislature was sitting.

That gives us then time to deal with legislation that is before the House in a detailed fashion. Every government believes that the opposition takes too long in dealing with legislation and every opposition probably believes that a government wants to rush it through. That's generally the stand that is taken in these cases.

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** Committees sat, Jim, committees sat all October.

**Mr Bradley:** The government is particularly edgy this afternoon. I don't know why they're so edgy over there this afternoon. The only one smiling is the former Minister of Labour, who appears to be delighted at the relief of the burden that he once had, so I'm glad to see that he is smiling in the House this afternoon. But what is happening is that again we are seeing a diminishing of the role that members of the Legislature play.

I think everybody assumes that the civil service, the public service, has a very significant role to play in terms of drafting legislation, drafting amendments for members of the Legislature and so on, and we are pleased to have that kind of assistance. But we as elected members, as I've said on a number of occasions in this House, are the only people the electorate can get at.

They can't get at the civil servants. They can speak to them but they really don't have any control over them. They can't get at the special advisers to the Premier in the Premier's office, the gurus who advise according to polls or whatever else they have in hand to advise the Premier on, or their own particular philosophy, so the only people they can get at in fact are those of us who are elected.

Through the change of rules that Mr Rae, the Premier of the province, has brought in, this House has yielded

some of that power, not voluntarily on the part of the opposition, but certainly it has happened nevertheless because of the majority of the government. There are a few members on the government side who refuse to vote for closure motions and so on because philosophically they have been opposed to them, and perhaps when they were in opposition they had utilized the rules to advantage.

One of the reasons that you want the Legislature sitting for a fairly lengthy period of time is to allow the public to get a view of the debate; that is, to make their own decision watching on television or looking at the print coverage that there is, or perhaps they read Hansard—a few people in this province might well read the written Hansard—and they can then make a judgement as to what arguments are put forward best. The government has a chance to justify the stand that it takes. The opposition has a chance to criticize and offer some alternative suggestions on how legislation can be improved.

Increasingly what we see is that the government's mind is essentially made up, that there are a few amendments brought in that tinker with the concerns that are out there, but basically the legislation is not changed very much. That means the elected members, whether they're government backbenchers, members of the official opposition or the third party, really don't have as significant a role as they should have.

I'm not advocating that we go to the American system of government, because it has its problems as well. I know that there members may vote against party lines and it's a pretty independent place in terms of the voting procedure, but there are problems with that as well that I'll leave to another debate. I think our system can work well if the government is responsive to its own members and to the opposition.

I was reading an article in the Kingston Whig-Standard, for instance. I don't want to get too personal on this, but it's an example of how governments defend, no matter what. A woman from the Red Cross had written a letter to the Kingston Whig-Standard where she had been critical of government policy, and a government member wrote back in pretty damning terms about what this woman had suggested.

This is an overreaction. I know governments become edgy and irritated sometimes when there's a lot of criticism that's offered, but I thought this, upon reading it, was somewhat overkill. What happens is that the government backbenchers get hit with a situation where they essentially have to simply give the message out and aren't able to respond perhaps as they would like themselves to the representations made.

This letter was from Kathy Kennedy, who is the chair of the homemaker advisory committee, Canadian Red Cross Society, Kingston and district branch, and she said:

"I am writing to express my concerns with a piece of legislation that will soon become law.

"The legislation, Bill 173, An Act to reform Long-Term Care, will have a serious impact on the health and social services provided in our community. It will mean changes for the clients who are receiving those services."

She went on at some considerable length, and she's a knowledgeable person, she's worked in the field. She indicated: "The bill is undergoing a clause-by-clause review this week. Rewording of the bill is needed to allow our community to develop and implement the model for community-based long-term care that best meets our community's needs."

She said, "For further information or if you have questions about Bill 173, please contact the Canadian Red Cross Society," and suggests that they do so, so people would know what its position is.

Well, she got a reply, all right. There was a beaming picture of the minister and a pretty condemning and—I won't say vicious, but a very strongly worded response that the Honourable Fred Wilson gave in this particular case.

Then the next article that comes in the paper says, "Shocked at Fred Wilson's Slur of Health Volunteers." Ms Kennedy again talks about her right to voice her concerns.

Now, there seems to be some evidence that there's a pattern developing out there. I don't know whether it can be substantiated with a lot of examples, but there appears to be a pattern out there with this government that anybody who criticizes it must be attacked. We've seen some examples of it. There was a person in the Solicitor General's office who had to resign last week or the week before. That person looked into a person's personal file—I want to thank the member for Burlington South for assisting me with the letters—looked into a person's personal file and made all kinds of threats. This has happened more than once. It has happened to some reporters in the press gallery. Jim Coyle of the Ottawa Citizen and the president of the press gallery both were investigated and some remarks were made by the police about what their stand had been on a particular issue.

I get concerned when that's the reaction. It's an overreaction, and I know it ties the hands of the government members who aren't in the cabinet when they have to meet with various individuals around the community. I don't know whether they're told to, but they feel a compulsion to simply give the government line instead of listening to the concerns of the people and perhaps making a judgement different from what the cabinet has decided.

That's why I think it's important to have a pretty free-wheeling and extensive debate both in committee and in this House. The committee work is extremely important. If you went into the committee and you saw the people who were sitting in the gallery day after day, you can tell these are people vitally interested in this legislation. They're largely people who have been involved with the delivery of long-term care to people in the communities over the years.

My colleague the member for Halton Centre, Ms Sullivan, made some of the points about the bill that I won't go into great detail on now, but I do want to express my concern again about the fact that the government is moving so quickly to bring this bill to fruition. The terminology we use in opposition is to "ram the bill through the House." I would have preferred more of a

debate. I would have preferred the House to come back the third week of September and have an extensive debate both in committee and this House.

It might be that the government, under some considerable pressure—and I say that in a positive sense—might make some amendments that have been suggested by some of the people who are in the gallery today and some who may be watching on television, reasonable amendments. I have heard very few people who have said that the bill is no good from the start, that it should be thrown out completely, that it never was any good. Most people understood the need, particularly when there aren't a lot of dollars around to be spent on any government programs, to look at how we can best deliver health care services. I don't think people would quarrel with that. I don't think they would quarrel with the need for coordinating the services. I think people recognize that.

Where I think it breaks down is when you start treating those organizations which have been delivering these services over the years, and very well, thank you, in the way they have, by saying, "Only 20% of those services can be provided in the future by these organizations." What does that mean? It means organizations such as the VON, the Red Cross, Meals on Wheels, the March of Dimes, the Saint Elizabeth society, a number of these organizations, some of them religious, some of them cultural, that have been delivering services over the years are going to have their role significantly diminished under this legislation.

1700

I remember meeting with some people in my constituency office, one of whom was an ardent NDP supporter, I think up till this bill. She is a person I've known over the years and have always assumed was quite a strong NDP supporter. Maybe it's unfair just on one bill to fall off the wagon, so to speak, but she had mentioned how concerned she was about this bill. She was with one of the private, for-profit organizations as opposed to the VON, but felt that the organization she was with was also delivering some good health care.

What I see happening here is the government again, with about a 20-day session of the Legislature, wanting to ram everything through. If after a long debate in the House, if the House had sat all of this session that it normally would and at the end of that the government had made a decision, even if I disagreed with it in opposition and perhaps some who are observing disagreed with it, at least they would know there had been a thorough debate, that perhaps the government had listened, perhaps the government had made some significant changes to the legislation.

Instead it's the old routine of, "We don't want to face the House," because you have to face the question period, you have to face what we refer to as the scrum outside, which is the gathering of reporters who interview the cabinet ministers after and there's a lot of heat on the government. It's not as good as being able to go around and give out the cheques all over Ontario and shake hands and be at nice events. They are nice for people in government, and they always enjoy that.

But there is a responsibility for accountability. I think



what we lose when this House is not in session is that kind of accountability, and that's what we need to have in our system. If the party that is sitting over there happens to be in opposition again—that may or may not happen; that's up to the electorate to decide—they will find that the rules Mr Rae, the Premier, has imposed on this House are rules which would confine them considerably.

When they were in opposition, I always thought they utilized the rules to the full extent and became an effective opposition as a result. My judgement is not so charitable in terms of the New Democratic Party in government, but I think the NDP in opposition was effective because those rules were available.

Today, you've taken that away. You've applied closure or time allocation 18 different times. You've limited the amount of time that members can speak in this House, individual members who want to bring the concerns of their constituents to this House. You've done a number of those things. You've shortened the regular calendar and then you don't even adhere to that calendar. You've taken away from the Speaker the right to make certain decisions that the Speaker used to make and you've put those in the hands of a cabinet minister.

This House becomes less relevant as the government continues to change those rules. The sad thing is, if you think another party is going to turn around if it gets in power and change the rules back, you're dreaming in Technicolor. Once you change them, it is very difficult for a government to bring itself to change the rules again, and that's the problem.

I hate to get into this, and you'll forgive me for a moment, but it's like casinos. Once you've got a casino, the other government that comes in, if it comes in, doesn't shut down the casino; you're stuck with it, you've got casinos. And that's one of my concerns. You can oppose it, as I do personally—not all my colleagues agree with me—but once you have these things, it's very difficult to get rid of them, and the rules certainly apply to that.

So far, the minister has rejected some good amendments by Ms Sullivan, the member for Halton North, the Health critic for the Liberal Party. I think you are going to diminish the role of volunteers. I'm not going to be as drastic and say they're all going to quit tomorrow, but it's certainly going to have a dampening effect on the enthusiasm of volunteers in this province if these agencies are relegated to 20% of the action.

I would say that about 90% of the people out there who are visited through long-term care need the help of a professional person, of a person with some medical knowledge, because a lot of these people have medical problems. All of us would agree that it's nice to be able to serve the people in the context of their homes. For their own health that certainly is true, and it is a less expensive way, most people believe, to be able to treat individuals.

I was also struck by the fact that the Price Waterhouse report—and it's a reputable firm—had been used to show that there was going to be a significant saving of administrative costs through this legislation. Price Waterhouse

has written a letter, that we have a copy of—Ms Sullivan has read that into the record, I believe—which in fact retracts what it said originally. They've now come to the conclusion that those savings won't be there, that there were a lot of things factored in that shouldn't have been.

I look at the legislation and say, here's an opportunity for a government. It's brought in some legislation, and some out there will say rhetorically: "It must be all thrown out. It's bad legislation and these people over there don't know what they're doing." I don't take that approach. I think you've done some consultation and the previous government had done some consultation. The minister mentioned that the Conservative government, when it was in power about 1981, was talking about some kind of model to better deliver services. But I think what's important is that we bring forward the best possible legislation.

#### *Interjection.*

**Mr Bradley:** The member for Hamilton East is going to retire, I understand. He's one of the most partisan members I've ever encountered in the House. Don't you ever believe your government is wrong, Bob? I don't think he does. Maybe that's why he has been a good, ardent member of the NDP over the years, although he must be sometimes having just a few doubts about some of the changes in policy that he wouldn't agree with. But I don't expect this to be confession for him today.

What I would like to see the government do is to say: "We're not going to proceed with this time allocation. We're going to give some more time for consideration. Perhaps we'll bring the House back in January." I know I would enjoy a January session very much with my colleagues in the House to be able to discuss this matter further and perhaps persuade the government to make the changes that are required.

Mine I think is a reasonable approach, it's a relatively non-partisan approach—it's as relatively non-partisan as one can be in this House—and I think it's a sensible approach. It takes into account what a lot of people have told me through their letters to me and through personal meetings I've had with them about this legislation: Let's make it better legislation. Let's make it legislation that's really going to work. Let's make it legislation that will be acceptable to both those who are delivering the care in our community and, most importantly, to the consumers of that care out there who have benefited for years from the volunteer organizations, even from some profit organizations and non-profit organizations out there. Let's bring people together. Let's unite people in this. Let's treat people fairly. If we do that, we'll find out that there's a good consensus in this province.

One of my criticisms of this government has been that essentially it doesn't represent mainstream Ontario, it represents somewhat of an extreme. I'm not saying a great extreme, I'm not saying an extreme left or anything of that nature, but generally something outside of the mainstream of Ontario.

I think you can bring that mainstream together. You can build that consensus by making the changes that we have advocated in opposition. I find it a sad day indeed in this House when we are confronted with yet another

motion to limit debate and to close off debate on an important piece of legislation.

My colleague from Renfrew North will offer a few comments because he too has received representations from people in his community, a different kind of community from mine, more rural, more small-town, but nevertheless a most valid point of view to be put forward.

I'm pleased to be able to offer some advice to the government. I ask you again, those on the back benches, to rise up, rebel, make yourselves relevant in this House and tell the cabinet where you really stand.

**Mr Cameron Jackson (Burlington South):** I'm rather upset that I have the occasion to be in the House to speak about this bill today, because this is really not about the bill, it's about closure. I'd much rather be in committee working on the amendments and carrying forward the substantive amendments that are required to make this bill a workable piece of reform and a relevant piece of reform for the province of Ontario.

The fact that the government has pulled the plug on our ability and our rights to perform that important function for all the citizens of this province is a sad occasion indeed, and I in no way relish the opportunity to be speaking about closure.

Closure is a decision that a government which lacks courage takes. It's a decision which flies in the face of our democratic principles. My colleague made references to Peter Kormos filibustering an issue around automobile insurance. I guess that was an important issue to the government at some point in its life.

1710

I'm reminded of one NDP MLA, Elijah Harper, who held up the whole future of our country with Meech Lake, but it was democracy. It was the right of a citizen to express his fundamental concerns and his beliefs and to fight tenaciously in any democratic forum, whether he holds a minority or a majority position in that Parliament. It was their right to be able to fight for what they believed in.

We, on this side of the House, feel that we're fighting for some very important things. We are all fighting to reform long-term care. It is badly needed, it is long overdue and it is necessary if we're to continue to provide services effectively, efficiently and appropriately in this province to the frail elderly and the disabled who require them.

But after waiting 10 years—because in almost 10 years I've been in this Legislature we've been talking about reforming long-term care—it would seem wrong that now, at the 11th hour, we would do a great injustice to the years of the work of consultation to perhaps set in place a piece of legislation which has not been adequately amended, appropriately modified to reflect the very legitimate concerns of the most important people out there, those who are affected.

They, quite frankly, in their order of priority, are the clients we serve: the senior citizens, the individuals who need some form of support or some degree of support in order to remain and live with dignity and comfort in their own homes or in a family setting. They're the first and

foremost to be the most important persons in this scenario and they still have outstanding concerns about this legislation. I'll address those in a moment.

The second most important group of course is the front-line workers, the people charged on a daily basis with providing the sensitive care, quite frankly under low wages, under pressured conditions, under tough budgeting circumstances. They have delivered services in this province above and beyond the call of duty. They've done that with the support of probably the third most important group, a whole series of charitable groups, non-profit groups and agencies which are providing the coordination of these services.

If the government a decade ago was throwing around money for these programs, there would be all sorts of people in it. For most of these organizations, the genesis was to respond to a need in the community and not sit around waiting for government grants. They were there out of compassion, out of compassionate care, seeing an unaddressed need in the community and simply moving and responding to it and not simply saying, "Why isn't the taxpayer lining up to throw more money at us so that we can provide the service?"

Somehow we're punishing those people with their long history, their ethos, their principles, their compassionate people, their infrastructure, their network of funding opportunities. All of this is being challenged by this legislation. They too have a right, as those who contributed perhaps the most to our current infrastructure, to have some of their concerns considered.

The fourth important group of course is the taxpayer, who expects of any government that it will respond to the needs and reforms that are required in a society that wants to improve, that it be done in an efficient manner and a cost-effective manner and that it be ensured that those services are provided to those who are truly in need.

Yet I see this legislation and the hundreds of amendments. We're not talking about a large bill with 10 or 15 amendments. We are talking about hundreds of amendments which have been thrown in this bill since it was tabled in this Legislature back in June of this year. I might remind the members of this House that 25-some-odd amendments were thrown at the committee just within the last week, government amendments that deal with some substantive issues with one of the most important stakeholders in this enterprise, that is, the caregivers.

Several speakers have talked about these clandestine, behind-closed-doors, under-the-table meetings with organized labour to make these 11th-hour amendments behind the backs of unsuspecting, predominantly women workers in the province of Ontario. It presents again from this government a most offensive, discriminatory approach to looking at a person's value to our society by defining them based on whether they hold a union card in their pockets and not by how much compassion is in their hands in the delivery of their service.

On this case alone, this legislation should be damned, because a union card is what qualifies you to provide services to our frail elderly, not the compassion, not the



understanding, not the experience, not the commitment, all those things which built this infrastructure in this province. We're now going to turn our backs to it.

I say, as my colleagues on this side of the House have indicated, we believe we have every right to fight as hard for this legislation to ensure the reforms are in place and the amendments are in place; we have the right to fight for that just as much as Elijah Harper had the right to fight for some changes to the Meech Lake accord. But this NDP government has chosen to remove them from us and, in so doing, has removed them from the thousands and thousands of senior citizens and handicapped persons in this province who rely on this legislation, and from the thousands and thousands of workers who today all across Ontario are delivering these services.

I would like to spend a little bit of time talking about some of the history of this legislation, because I think it's relevant and it's tempting to do so. I want to remind members of the House that in 1985-86 we undertook to start reform in long-term care, and I've said in this House on many occasions, I think we went about this entire reform backwards.

Instead of starting with making sure we had community-based services in place, which is what Bill 173 is all about, we started at the opposite end of the continuum-care model for senior citizens in this province and we began ratcheting down access to support for those most frail in society who, because of circumstances and conditions in their families and their medical condition, found themselves institutionalized.

I want to remind members that this bill is not the panacea that everybody will be miraculously able to get up and walk out of chronic care hospitals, return to their homes and receive services. We will always have institutionally based care in this province. But no, the government of the day, and it began with the Liberals, decided that we were going to put a cap on the number of chronic care beds that were available in this province. For obvious reasons, we ran into complications because of that.

I want to remind members of this House that the initial money the government found to finance the public consultation for long-term care came by removing \$75 million from the 18 or 19 chronic care hospitals in this province and then proceeded to reclassify those beds to reduce incrementally the professional services and some of the support services that were delivered in those hospitals.

The next shoe to drop was the tabling of Bill 101. This was a real gem of a piece of legislation. The first thing it did was it removed access to a chronic care bed from the OHIP formulary. When I asked the government of the day, the NDP government, "Why are you even considering this?" they said: "Well, there are only two other provinces that have it in their formulary. We can afford to have it removed." This casual, lackadaisical attitude about something as fundamental as a citizen's right to a hospital bed or a chronic care facility in order to receive care—the fundamental right was removed. So we fought that and we didn't get our amendments. The government went along.

Now we have a situation—oh, there's a whole series of problems wrong with Bill 101. I might add that the government to this day still stands in the Legislature and says with much pride, much fanfare, much self-aggrandizement, "You know"—I've got to watch these words carefully, Mr Speaker—"this government has allocated some \$400 million." It didn't say it spent it; it said it has pledged it or it has allocated it, but it didn't spend it.

1720

I'll tell you where \$150 million came from. It came from increase of the user fees or the accommodation costs. Poor unsuspecting families, this Bill 101, in spite of all the promises, bang, this is what they get. Based on this government's performance on how it started at the opposite end by ratcheting down access to nursing home beds and home for the aged beds—no capital growth going on in this area: we're reducing the number of beds; Bill 101 reductions in access to institutional beds.

What's happening is, people are on waiting lists. They're on waiting lists everywhere. In my community, you go into my local hospital, there are 50 people bed-blocking at the Joseph Brant Memorial Hospital. They can't find an institutional bed. In the GTA I'm hearing that waiting lists are in the thousands. We're going to put all these people back into the community and try and provide them community-based care when their level of care needs is growing, because their acuity rate is growing, because we've created this blockage and cutoff at our institutional beds.

Now we find ourselves in this crazy situation where we're told, "Boy, we'd better get this long-term-care reform through right away because we're going to hold up the system." The system already needs an enema based on your last effort with Bill 101.

**Mr Bradley:** What would the enema do?

**Mr Jackson:** I'll tell you. The member for St Catharines is very interested in this subject. This legislation should have been in place first so that we had the support services in place, so that the blockage in the system didn't fall backwards and that we had a higher, greater acuity rate in the average senior citizen who needs a service. This is going to create all sorts of complications and infighting within an MSA to determine what are the most important services required. That's what I'm trying to suggest here.

Anyway, for purposes of the debate on closure, I want to put on the record that we were attempting during the many weeks of clause-by-clause to put a few issues on to the table and I want to state in general terms where the Progressive Conservative caucus is coming from on this bill.

My colleague from Simcoe West and I have participated in virtually all the public consultations on Bill 101 and on Bill 173 and in the clause-by-clause work as well. We can tell you that the first thing we want to say is, we don't want to hold up long-term-care reform. We want to make sure it's done right and done once and implemented. My fear is that people suggest that they would block the bill. I have a press release from Lyn McLeod indicating that she would put a screeching halt on the

whole bill. My fear is that'll be an excuse not to fund it. We've got to fund it.

The second thing the Conservatives have indicated is that we need a system that's flexible. We fundamentally disagree that one made-in-Toronto formula brokering services will work in Espanola or work in Kingston, Ontario, or any other part of this province where the unique needs of a community and the complexities of their geography, their aging population mix, their varying levels of medical complications—all of these factors can't really be organized under one set cookie-cutter model known as the MSA.

So we tabled extensive amendments to achieve a federated model where the local decision-making, based on the same boards—we have no trouble with who sits on the boards, no trouble with that at all. What we're having trouble with is that they have to become an employer, that they become a bureaucracy, a civil service, and they're now employing all these people, when in fact perfectly viable, cost-effective, experienced infrastructures are in place. Agencies are in place like the Red Cross, the VON, Saint Elizabeth homemaking services. A whole series of organizations are in place.

Now, we go back to 1985. Until June of this year everybody's been talking about a federated model. Then in June of this year, with millions being spent on consultation, all of a sudden the governments says, "By the way, we're going to make a small change here." It wasn't all that small. "We're going to turn these agencies into government agencies that broker or purchase a small bit of service." With 20% of their budget they can purchase outside agency services, but 80% of it has to be directly provided by that agency of government. That is what an MSA is, ladies and gentlemen: It is an agency of this government.

The other issue that we raised was the issue of choice. We feel that a senior citizen must have certain fundamental rights of choice when it comes to the delivery of health care services. These are intimate, personal services. They should have a right to be able to say, "I believe these services might better be conveyed by"—we'll use a Catholic agency because of my catholicity as an example. But not under this legislation, no sir. Once Sid Ryan and the boys got hold of this legislation, there were absolutely no choices.

When the Minister of Health stood before the first day of public hearings in this committee and broadcast how proud they were of the choice, I said: "Minister, could we cut to the quick? What choice does a senior citizen now have once your legislation is placed? Give me a clearly defined example under the act where they have new choice."

She said, to quote her loosely, "They have the choice to refuse the service." That's it. She didn't even attempt to try to sugarcoat it or find something else that she could run up the flagpole. She had nothing else. That's it. You have the right to refuse the service.

But what if you desperately need the service—you need your colostomy changed, you need assistance because of a separated disc in your back, you can't wash your dishes or cook your meal—you need those services?

Well, you have the right to refuse the service in Ontario. I think that's wonderful.

*Interjection.*

**Mr Jackson:** While the former minister of everything, Mr Philip—where are you from? Etobicoke-Rexdale. I would just remind the minister that we have yet another piece of your legislation. Bill 173—surprise, everybody—takes and delists home care services out of the OHIP formulary. You tried it in Bill 101 and you got away with it. Let's try it now. Let's take it as a guaranteed, insured service.

Now, if you'll take the frail elderly, who have a precious small voice as it is in this province, out of the formulary, let me ask you, what is next? Probably some paediatric services, because they're not very well represented when it comes to having a public voice and government listening.

You don't want this to be publicly exposed any more than it currently is. You don't want the public discussing about what services are being removed from this bill.

*Interjection.*

**Mr Jim Wilson:** Read your own explanatory notes.

**Mr Jackson:** It's in your explanatory notes to the bill. But don't ask me to roll over and say, "Yes, let's close one eye and vote for this," because I know that there are 63-year-old or 70-year-old widows sitting in their own homes by themselves who are going to need that service, and some bureaucrat is going to walk into that house and say, "Frankly, I don't think you really need this."

**Mr Gordon Mills (Durham East):** It won't happen.

**Mr Jackson:** Mr Mills, the member for Durham East, says it won't happen. I want your home phone number after the next election so I can find you and I want to be able to call you with the families that get turned down for services in your own backyard.

1730

**Mr Jim Wilson:** Join the waiting list, the legislated waiting list.

**Mr Jackson:** Join the waiting list. That's the message.

When it comes to the issue of choice for consumers, it's gone and there's no appellate mechanism. I tell my constituents, "If you enjoy the idea now of picking up the telephone and trying to talk to any department of government"—let's just say you've got a traffic violation and you want to talk to the local court about your concerns about your traffic ticket—"you're going to love trying to get through to a civil servant about why your grandmother can't have home care."

We're going to talk a bit about another rule that the Conservatives find offensive, the 80-20 rule. Again, it's been well established that this is going to wipe out several agencies from the service delivery system in this province, and that's tragic. We've documented that volunteer losses could be as high as \$37 million.

Last week I read into the record information about the legislation brought in by the pro-labour Liberals in Quebec to create the CLSCs, the Quebec government task force report on health promotion with the objective of developing a health concept in Quebec. The CLSCs are



identical to the MSAs which are going to be operating in Ontario.

**Mr Larry O'Connor (Durham-York):** They are not the same.

**Mr Jackson:** Mr O'Connor says they're not the same because the board members get paid in Quebec. Let me remind you that Sid Ryan and the unions—one of the few groups that liked the legislation—said when they came before the committee, "Oh, by the way, if any of our labour members are on the MSA boards, we want to be paid." Check the Hansard, check the record.

There is a price for a contribution, we've found. I didn't think there was supposed to be one, but Sid Ryan and some of the labour groups have indicated they definitely want to get paid.

**Mr Jim Wilson:** They don't like volunteers.

**Mr Jackson:** They don't like volunteers. I didn't think they'd take it to a ridiculous extreme; even when labour members get to volunteer, they want to get paid for it.

I want to mention as well that we brought in amendments, and they were successful amendments, to strengthen the purpose clause in this legislation to protect seniors. I have publicly thanked the government for the flexibility it showed by giving some more teeth and meaning to a bill of rights for those who receive these services. I truly believe there is an occasion within the balance of these amendments that we can seek out further amendments, if you'd give it the time, instead of invoking closure.

We are deeply distressed that you have deprofessionalized in a sense, within this legislation, a whole group of professional service providers in long-term care ranging everywhere from chiropractic, where we've indicated there is a clear application for that, to professional nursing services, where there's evidence in the bill that this is being deprofessionalized.

The unionization has been very well covered by my colleague.

The fact that the Price Waterhouse study has now been withdrawn attacks the government's number one argument that it is affordable. You will not give us a cost-benefit analysis. You can't find a figure; so how can we trust your figure? If you'd give us a figure to work with, maybe we'd know how to deal with it, but you won't give us a figure. The one figure you had has been withdrawn.

Without imputing motive at all, you don't have a figure on this legislation in terms of what it will cost. So you will do what you do best of all, you'll throw more money at it. That's not what we should be doing, especially when you're destroying and tearing down many organized agencies that are providing services.

I want to close because my colleague from London wishes to make some comments for the record.

I simply want to say that this legislation started out in 1985-86 being about providing long-term care more efficiently, more effectively but, most important, more compassionately in this province. What we've seen evolve over that nine-year period is a steady move to

simply control costs for the sake of costs, to change the makeup of those front-line workers who provided the compassion and care and delivery of that service, and, perhaps its strongest indictment, they've done all this without consulting directly with the persons whom this legislation should be all about: the seniors, the disabled, the frail who need the services in this province. That's why closure is wrong and why you should be amending this legislation so that it can be proceeded with as soon as possible.

**Mr Mills:** On a point of order, Mr Speaker: I'd just like to put on the record that the member for Burlington South said that when this bill is passed, he wants my telephone number. I want to tell him that unlike my Conservative predecessor, my telephone number's been in the book since 1990 for anybody to call me.

**The Acting Speaker:** That's not a point of order.

**Mr Sean G. Conway (Renfrew North):** I'd like to join my colleagues in the assembly today, and most especially my colleagues Mrs Sullivan and Mr Bradley, in speaking to Bill 173, the government's Long-Term Care Act, and to express the views of my constituents in the Ottawa Valley.

As has been commented by a number of previous members, the whole question of long-term care has a history over many years and over at least three administrations: the Rae, the Peterson, and the Miller-Davis administrations of the early 1980s. I think it is fair to say, and I want to be very clear and categorical, that what we set out to do in this process and where I believe there is still all-party support is that there be one-stop access for those services that our frail elderly and disabled require, whether they live in Ottawa, Pembroke, Woodstock, rural southwestern Ontario or northern Ontario.

I and my colleagues in the Liberal Party and, I have to believe, everybody in this assembly endorse absolutely the fundamental importance of one-stop access. I congratulate the government for recognizing that that was a fundamental area where action was required. It built on the efforts of previous governments. I think it has to be said that we want, all of us, to move forward to deal with that polyglot of service out there that tends to confuse people, particularly the frail elderly.

The question I have as I look at Bill 173 is, what went wrong? We started out, all of us, with a very powerful and positive consensus around one-stop access. We were going to effect through legislative change and community action a far better coordination of all these services on the community-based model, and we were, as we moved forward in Glengarry or elsewhere, going to do that, improve the coordination, through one-stop access. We were going to make the system more clear, more sensible, more efficient for the clients: the frail elderly, the disabled and in some cases children. That was what we set out to do, and we have got a bill that I think is madness on stilts, and people should be concerned about what went wrong. I can't support this bill, though I support the principle of one-stop access.

I want to say to my colleagues that I have not seen, not even in the worst days of the separate school bill where I and my colleagues in government, and many in

the assembly, were denounced for a very unpopular piece of government handiwork—I can't ever remember in 20 years where so many people in my county and across the province denounced fundamental aspects of this bill.

**Mr O'Connor:** That's because you ignored the seniors.

**Mr Conway:** My friend from Durham-York says we're ignoring people. I am only telling you that I went to one day of Kingston hearings and a day in Toronto, two days of public hearings around this bill—I wasn't a member of the committee—but I was stupefied by the incredible wall of opposition. Virtually everybody in Kingston and everybody in Toronto said, "This started out as a good idea but it is fundamentally flawed because it is not in accord with the community realities as we have them in Kingston," or in Leeds or in west Toronto.

#### *Interjections.*

**Mr Conway:** My friends opposite say to me, "You've got it all wrong." I tell my NDP friends, and they are good people and well intentioned—I can see this group of New Democrats staring Galileo in the face and saying, "Notwithstanding your telescopic evidence, the world is flat." No, the world isn't flat. Galileo is right and so were the scores of people who came to that committee, from Toronto to Windsor to Thunder Bay to Ottawa, and said, "This bill is fundamentally flawed."

1740

I hold in my hand but part of my file as one member in this assembly. These are letters from the Grey Sisters, from the county of Renfrew, from the Red Cross, from the VON, from every reputable, community-based organization in my constituency, saying: "The bill is fundamentally flawed. Please change it and stop this juggernaut."

I think we have that obligation to not only change this bill but refocus the debate on what it is we all set out to do years ago. Colleagues on all sides, beware that this bill, if implemented—and let me say, this bill will not be implemented. This bill as written, irrespective of what happens in this chamber tonight and later this season, will not be implemented.

I want to say that we are going to the polls. We are going to the polls within six months, and I assure you that a new Liberal government, or, I am sure, should it be elected, a Tory government, will not proceed with those parts of this bill that are clearly, transparently and fundamentally flawed.

I say, furthermore, to the Ministry of Health and to those district health councils out there, you'd better plan on the basis of having one-stop access, but you'd better understand, whether you're a health council in the Ottawa Valley or in Thunder Bay or in Halton or in Metropolitan Toronto, that the fundamental flaw in this bill, the government's multiservice agency, will be fundamentally recast by a Liberal government.

We will do so because those hundreds of people, good people, the Grey Sisters, the VON, the Red Cross and all others who came forward, said: "This won't work. This can't work. This violates decades, in some cases over a century, of good, community-based activism in places

like London and Pembroke and Parry Sound and elsewhere in the province."

They say to me and they said to the committee, "Will not the NDP ideologues understand that they do not appreciate what they are doing with this bill?" I say that we support as a Liberal party, and Mrs McLeod and Mrs Sullivan have said that we continue to endorse, the principle of one-stop access. But we will as a new government, and on a priority basis, recast this policy to make the multiservice agency much more reflective of genuine community conditions and we will provide in our policy a far wider range of alternatives for communities across the province.

Let me cite an example. It may be a big surprise to members opposite, but in the county of Renfrew our district health unit provides over 50% of the services that are at issue in this debate. They are effectively and largely disqualified from continuing as any kind of a major multiservice agency. That is madness in Renfrew county. That is madness on stilts. Why? Because the people who run that are people who happen to be elected. And it is very interesting that in the NDP world, the one disqualification is this: If you've ever been elected to anything, then you are transparently not community-based.

If you appoint yourself an important person, with no popular mandate other than your mother-in-law or father-in-law writing a laudatory letter to the NDP quarterly, then of course you are a community-based activist. But in our county, the district health unit will be disqualified from delivering most of the services that it has delivered sensitively and in concert with the VON and the Red Cross and other very good, cost-effective, community-based organizations for decades.

Now, you say, what will happen? The government has come forward and said, "We've got the 80-20 rule," that's been adverted to earlier by a number of previous speakers.

What we have, of course, is the fact that in my county for months, and probably a couple of years, most of the people who receive these services are going to be left in limbo while an elaborate, costly divorce proceeding is undertaken because of this madcap policy, and hundreds of thousands, maybe millions, of dollars, are going to be spent on severing good people from a good organization, while the frail elderly and the disabled and children are denied service.

It is nuts. It is totally nuts. I have been around here long enough to know that we have all got problems.

**Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs):** The member is honest.

**The Speaker (Hon David Warner):** Order, the member for Nipigon.

**Mr Conway:** I do not want to be going home to places like Killaloe and Barry's Bay and Westmeath and Ross township and Chalk River and explaining to 85-year-old constituents why those very good people who have been associated with the Red Cross and the health unit and the Grey Sisters and everybody else, can't



continue to do what they have done for decades. It is nuts.

**Interjection:** Tell them to get involved—

**Mr Conway:** These people are the core of my community, and they don't need some NDP ideologue, who doesn't know anything about anything, telling them that what they've done for a century can't continue.

**Mrs Sullivan:** That's right. They don't need you to make judgements about what acceptable volunteer work they can do. That is such an arrogant idea: "Tell them that they will participate as a volunteer in an MSA."

*Interjections.*

**Mrs Sullivan:** They can make their own choices about where they want to volunteer. They don't need the NDP to tell them.

*Interjections.*

**The Speaker:** Order. There are many members out of order, many members who are not seated in their rightful places. I ask the House to come to order, and the member for Renfrew North to continue.

**Mr Conway:** Members must know—I know my colleagues opposite. They're not, hopefully, blind to the realities of their own community.

We've got in a city like Pembroke the Marianhill home for the aged, which has an enormous series of tentacles that have reached out over a century. These people are the lifeblood of social services in a city like Pembroke.

The Red Cross—I've got a letter here from the Renfrew and district homemakers saying, "This will kill us." These are good people. They have been doing public works in my county long before I was born and they will be continuing, hopefully, long after I'm gone from this place and I've shuffled off this mortal coil. What right do we have to tell these people that they can't continue with some adjustment that is sensible and achievable and affordable in their community to keep that pattern of public service? It is irresponsible for anyone in this assembly to make that claim, as the government regretably does in this bill.

Let me say finally that even if we wanted to do this—we cannot and we will not see the MSA model that is incorporated in this bill become the law or become the actual reality of the land, but even if we wanted to—we haven't got the money to do this. This is, at another level, fiscal irresponsibility of the most transparent kind.

I know what my friends opposite are trying to do. We all recognize that the old system, with some of the duplication and some of the lack of coordination, needed improvement, and I think there is a consensus around how we might do that. But we set out, my friends, to drive to—I live in Pembroke. This is as though I set out to drive to Toronto and I've ended up in Moosenee, and the public knows that. They know that the instruments that the government—I see a look of bewilderment across the way.

I repeat that I listen. I have read my mail, hundreds of letters from the most reputable people I know in my county. I went to but two days only of committee hearings, and 95% of the people who came, good people,

young, middle-aged and older, from the not-for-profit, some from the government sector, said: "The general objective of one-stop access is right and appropriate. We support that. But the instruments that are chosen and provided for in this bill are absolutely outrageous. They won't work. They're unachievable. They are unaffordable. And please, Legislature, draw back and do not impair the kind of community-based services that are so vital to long-term care across the land." That's why I cannot support this bill as written.

1750

**Mrs Dianne Cunningham (London North):** I'd like to just spend the few moments I've got talking about the process and the intent of this government when it was elected four years ago. They were a government that was out there to do business in a different way and to listen to the people.

All I can say is that when I first came down to this Legislative Assembly, I was asked to speak on this motion of closure, and at that time, in 1988, I learned that in governments of the day, but especially the Conservatives, since 1867 there were three closure motions in this House. Afterwards, during the Liberal term of office, there were three or four, and this government in the past four years, and in just this third session, I have to say, has introduced 18 motions to close debate. I really don't think that is listening to the people. In opposition they never would have tolerated it. I know, because I was here.

It's our job in opposition to bring good ideas, amendments, to this government after public hearings. On this most important piece of legislation, Bill 173, that talks about community care for our seniors, for very old people, for the disabled, where we're all looking for the best solution, we now find ourselves, after just four afternoons of debate in committee since the House resumed, facing a closure motion which next Monday will allow us to vote with no debate "nay" or "yea" in committee and then come to the House on Tuesday for two and a half hours of this kind of debate.

During that third reading, I can tell you everyone will be talking about this government that wanted to listen to the people. I say that sincerely, because this is one of the most important pieces of legislation this province has faced in probably two decades of health care.

I want to say on behalf of a couple of my constituents—Janice McCallum, president of the board of directors for the Victorian Order of Nurses, Middlesex-Elgin branch, wrote, "The legislation needs to be flexible enough to allow the community to select the MSA model that best meets its needs and allow the consumers' right to choice where this is economically feasible."

She just said two things. "Select the MSA model that best meets its needs." When I was at the district health council meeting last week, they did not believe that this legislation would allow that community to best meet its needs.

*Interjections.*

**Mr Kimble Sutherland (Oxford):** We never said that, Dianne.

**The Speaker:** Order. The member for Oxford is out of order.

**Mr David Winninger (London South):** No, I don't think we said that either, Dianne

**Mrs Cunningham:** Secondly, if I am not particularly clear on that one, I can assure you that the issue of consumer choice was discussed and they did say very clearly, with no interpretation, that in fact the consumers' right to choice is limited by the 80-20 discussion.

If in fact the member for Oxford and the member for London South are disagreeing with this interpretation, I would invite them to look at their mail—if they can read—which is exactly the same mail as I get, and I will quote from another letter. This concern was also stressed by Patricia Cordeiro, the director of the Middlesex-London Home Care Program, who brought this issue to all of my colleagues in southwest Ontario and who would very much appreciate the opportunity to be heard and to listen to debate in committee. I just know it.

She stated in her letter that, "The Middlesex-London Home Care Program feel that the bill is too rigid and prescriptive." They felt that, "If the bill was passed unamended, many of the strengths of the current system will be seriously undermined and improved access to services by consumers will be impeded."

I have read into the record directly from the letters of the Victorian Order of Nurses, Middlesex-Elgin branch, and from the director of the Middlesex-London Home Care Program. They speak for hundreds of individuals who have cared, before this government ever came into the office, for people with real needs in their communities. They are telling us that the changes that are about to be implemented as a result of this legislation are not helpful. I think it's a very sad commentary on a government that spoke for the people. In fact maybe they do, but they certainly haven't been listening on this particular piece of legislation.

I'm not certain what we can do next, but I do know I have my doubts that this government will ever call this Parliament back into session. I think for two reasons I can speak very clearly that the public is crying out for an election this spring. This bill will absolutely seal the wishes of the public, because it knows that this particular government has not listened.

They have used closure motions 18 times. They do not care about the public, they only care about their own ideology, and when we see the debate in committee on Monday next week, where clause 15 is discussed—

*Interjections.*

**The Speaker:** Order. The member for Oxford, please come to order.

**Mrs Cunningham:** —what we call the labour clause, it will be solidified that once again the promises and the ideology of certain individuals in this government, where they want to in fact unionize all of Ontario, will be met by this bill. If there's one piece of legislation that will completely throw them out of office, this is it, because real people care about their families first and what they want is choice.

The Victorian Order of Nurses came into my office,

the local chapter, with representatives from the state of Michigan where they have over 20,000 volunteers doing work in communities, because they too face the challenge of high costs of health care. In society today we will probably be reaching out in housing, in education and in health care for more volunteers, not less.

I should say in the last 35 seconds that it's very difficult to speak—

*Interjections.*

**The Speaker:** Order.

**Mrs Cunningham:** —on this piece of legislation today because of the government members screaming and yelling across the House, but if I felt as guilty as they did, and if I listened as little as they do to their constituents, and if I rammed legislation through this assembly more than any other government since September 3, 1867, I too would have nothing left to do but shout about nothing, and that's what they'll be doing in the election. They can all kiss their seats goodbye.

**The Speaker:** Is there further debate?

**Mr O'Connor:** Let's try to have a calm moment or two here to reflect exactly what we're doing here. It's easy for me to see the difficulty that my colleagues across the way are having because this represents change, real meaningful change that has been proposed for well over a decade, changes they've even talked about at different points, though they don't agree with where we're headed. Change is a difficult process. Part of the difficulty is—

*Interjections.*

**The Speaker:** Order.

**Mr O'Connor:** Thank you, Mr Speaker. It's hard to speak over all the heckling opposite, and I guess that really is an example of how well they listened to the people that came to the committee hearings because—

*Interjections.*

**The Speaker:** Order. Member for Halton Centre, please come to order.

**Mr O'Connor:** —because what we heard—

*Interjections.*

**The Speaker:** The member for Halton Centre, the member for Simcoe West, please come to order. The member for Durham-York.

**Mr O'Connor:** Thank you, Mr Speaker. It's because of their lack of ability to go through the information being provided to us as honourable members of the Legislature to recognize the difference between the consumers, those people who want to see this reform take place, for a more equitable, integrated and coordinated system, one that's far more simplified in access. The actual fact is, the legislation is about the consumers.

We heard about all kinds of providers, but the members opposite refused to listen to the seniors. In fact, on Tuesday this week, we had over 300 seniors come to this Legislative Assembly and, true to the opposition form, not one of their members had the decency to listen. They wrote a letter to every member of this Legislature, and I just want to quote from a few parts of it.



"We assure you that our consumer organizations want this legislation passed. We feel it is necessary for the delivery of appropriate and necessary care which is more accessible to consumers," written by the consumers that they ignored.

*Interjections.*

**The Speaker:** Order. The member for Simcoe West is asked to come to order.

**Mr O'Connor:** "In the current economic environment, our organizations believe that agency amalgamations must be the outcome of this reform. As taxpayers, we want our dollars spent expanding direct services—not maintaining the duplicated administration and management structures created by 1,200 separate agencies."

*Interjections.*

**Mr O'Connor:** I hope the people at home can hear this, because I don't think many of my colleagues can.

**Mr David Turnbull (York Mills):** I cannot stand intellectual dishonesty. Be honest. You are unionizing the people.

**The Speaker:** The member for York Mills knows better. I ask that he withdraw the unparliamentary remark that he just made.

**Mr Turnbull:** I withdraw, Mr Speaker.

**Mr O'Connor:** I'll just continue.

"While we have concerns regarding the implementation...we feel that Bill 173 is the necessary foundation for building a comprehensive long-term-care system that we can all be proud of. Therefore we would once again like to urge all the legislators," and that means including the opposition members, "to move forward with this legislation without further delay." And what did we have on Tuesday this week? Delay after delay after delay.

The point is, we heard this from the Senior Citizens' Consumer Alliance, we heard this from the Older Women's Network, we heard this from the Consumer Coalition on Health and Long-Term Care, we heard this from the United Senior Citizens of Ontario, we heard this from the Concerned Friends of Ontario Citizens in Care Facilities, we heard this from the Canadian Pensioners Concerned, we heard this from the Ontario Coalition of Senior Citizens' Organizations, we heard this from the CAW retirees even.

The point is that they have listened to one argument only, and it's reprehensible that after going through hearings through August, September and October, they wouldn't even listen. The fact that we've been all over Ontario—they could only listen to part of it and forgot to listen to the consumers who came here, 300 in number, and they refused to even meet one of them. They refused to meet even one senior.

**The Speaker:** Mr Charlton has moved government notice of motion 36, a resolution which stands in his name.

All those in favour of Mr Charlton's motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members: a 15-minute bell.

*The division bells rang from 1802 to 1812.*

**The Speaker:** Would all members please take their seats.

All those in favour of Mr Charlton's motion should please rise one by one.

**Ayes**

Abel, Bisson, Boyd, Carter, Charlton, Christopherson, Cooper, Coppen, Duignan, Farnan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hansen, Harrington, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lankin, Laughren, Lessard, Mackenzie, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

**The Speaker:** All those opposed to Mr Charlton's motion should please rise one by one.

**Nays**

Beer, Bradley, Brown, Conway, Curling, Daigeler, Harnick, Hodgson, Jordan, McLean, Offer, O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poole, Ramsay, Runciman, Sorbara, Sullivan, Turnbull, Wilson (Simcoe West).

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 57, the nays 20.

**The Speaker:** I declare the motion carried.

Does the government House leader have the business statement for next week?

BUSINESS OF THE HOUSE

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** Pursuant to standing order 55, I wish to indicate the business of the House for the week of November 21.

On Monday, November 21, we will continue second reading deliberation of Bill 187, the business regulation reform.

On Tuesday, November 22, we will continue with Bill 187 and, following that, committee of the whole consideration of Bill 175, the efficient management omnibus.

For Wednesday, November 23, the business is to be announced, hopefully early in the week.

*Interjection.*

**Hon Mr Charlton:** We do; we just don't know which one we want to do.

In the morning of Thursday, November 24, during private members' public business, we will consider ballot item number 71, Bill 183, standing in the name of Mrs Caplan, and ballot item number 72, Bill 156, standing in the name of Mr Rizzo. On Thursday afternoon, we will consider an opposition day motion standing in the name of Mr Harris.

**The Speaker (Hon David Warner):** Pursuant to standing order 34, the question that this House do now adjourn is deemed to have been made.

## JOB SECURITY

**The Speaker (Hon David Warner):** Pursuant to standing order 34(a), the member for Simcoe East gave notice of his dissatisfaction with the answer to his question given by the Minister of Economic Development and Trade concerning CN rail. The member has to up to five minutes to make his presentation and the Minister of Economic Development and Trade has up to five minutes for her response.

**Mr Allan K. McLean (Simcoe East):** I filed my notice of dissatisfaction with the minister's answer because when it come to the abandonment of rail lines in Simcoe county the federal and provincial levels of government continue to fiddle while Rome burns.

Months ago, I warned the Legislature that if the Collingwood to Barrie rail line is abandoned, the Bradford to Washago line will be the next to fall.

Officials of Simcoe county made this government aware last fall that private investors will not purchase short-rail operations because the government's job-killing labour laws made it uneconomical to do so. A year later, the clock is ticking, and CN and the National Transportation Agency have run out of patience.

Rather than rolling the dice with the economic future of Simcoe county, the NDP government should have supported the private member's bill of Jim Wilson, the member for Simcoe West, which amends the successor rights provisions of the labour legislation.

As you know, I received a letter from CN North American vice-president, Allan Deegan, who indicated that CN filed a notice of intent on April 26 with the NTA to cease rail operations on the Newmarket subdivision, Bradford to Washago, and the Midland subdivision, Uthoff from Orillia. Mr Deegan indicated that CN invited proposals from short-line operators for five lines in Ontario including the Barrie-Collingwood and Midland-Uthoff lines. However, "potential bidders withdrew from this process when changes to the Ontario Labour Relations Act were enacted," said Deegan's letter.

On February 8, 1994, the member for Simcoe West, the member for Grey-Owen Sound and I met with representatives from CN rail, the Ministry of Transportation, the city of Orillia, the town of Collingwood, and numerous businesses and industries in Simcoe county, because we all knew that the future of economic development and employment rests heavily on rail service in our region.

We were all deeply concerned about rail abandonment and we wanted to find a workable solution to the successor rights problems. When asked if potential purchasers of rail lines Canadian National wants to abandon could get exemptions from part of your labour law, the Minister of Economic Development and Trade told a meeting of the Simcoe County Rail Retention Committee that her government has no intention of giving any legislative relief because she doesn't believe it's necessary.

The minister's statement was confirmed by Simcoe county warden, Bob Drury, and Simcoe North MP, Paul DeVillers, who attended the meeting.

The clock is ticking, time is running out, and all the people of Simcoe county are getting is conflicting stories from the Premier, the Minister of Economic Development and Trade, the Minister of Labour, from the federal member of Parliament for Simcoe North and from the federal Minister of Transport.

Paul DeVillers, MP for Simcoe North, has invited the leaders of the three provincial parties to a special rail meeting in Orillia on December 3. Mr DeVillers claims that he has obtained a special agreement with federal Transport minister Doug Young to delay abandonment for two years. However, Mr Young has written to Mr DeVillers to say:

"In my letter of October 4, 1994, to you I state that CN had indeed confirmed in writing our understanding that they will not be removing the track for the time being. Nowhere has it been stated that the tracks will remain until the spring of 1996."

It's another example of the conflicting stories and claims that are circulating about rail abandonment.

On November 3 the Minister of Labour told the member for Simcoe West that it is very convenient for CN and the federal government to try to pass the blame on to the province. She claimed that her government has found potential investors for these lines and that Ontario has taken on the leadership in the absence of federal leadership.

Will the minister tell us who these investors are and what lines they are interested in?

The Minister of Labour also said that the Minister of Economic Development and Trade met with three major rail unions that are willing to negotiate a new, single collective agreement with a short-line operator. She claims you have this position confirmed in writing. I'd like to see that written agreement.

On November 1, the Minister of Labour told the member for Simcoe West that she would be meeting with you to discuss the impact of Bill 40 on the purchase of abandoned rail lines. Have you met with the Minister of Labour, and what was the result of that meeting?

We don't want any more conflicting stories. We want to get on with the job. Having said that, I want the minister to reflect on the issues.

I want to read a paragraph of this letter addressed to Mr Paul DeVillers, MP, Simcoe North, from Doug Young, the Minister of Transport. He says:

"To be perfectly clear, 'for the time being' means that local interests must produce a serious alternative for CN's consideration before the beginning of the next track construction season. Unless a concrete offer is received, CN cannot be expected to leave valuable track unused when it is needed for repairs elsewhere in their system. Therefore, a concrete offer must be received before March 1995 or CN will have no option but to proceed with the removal of the track. I have been very clear that our mandate does not include a moratorium on rail abandonment," says Mr Young, Minister of Transport.

1820

**The Speaker:** The Minister of Economic Development and Trade has up to five minutes for her reply.



**Hon Frances Lankin (Minister of Economic Development and Trade):** And you won't cut me off this time, Mr Speaker, okay?

I have to say that earlier on today when you said that you weren't satisfied with the fullness of my answer, I was shocked. No one in four years has ever accused me of not giving a full answer in the House at question period. I was hurt, actually.

I appreciate the opportunity that the member for Simcoe East is actually giving both of us here. I think it is important to continue to put the facts on the record, and I think that's what he's trying to achieve. I know his interests, the member for Simcoe West's and the member for Simcoe Centre's who has met with me often on this issue as well.

There's just one statement I want to make first. I want to refer to some of the comments that were made by the Minister of Labour in her response to the member for Simcoe West. It really is putting some facts on the table, but I want to quote her from that. She said it very ably:

"This government is not abandoning rail service to communities." It's not this government. "CN is. This government is not threatening northern communities with complete isolation, with the threat of closing the northern lines. CN is.... This government is not trying to rip up the transportation infrastructure of this province. CN is."

"CN has one shareholder and that...is the federal government."

I appreciate the focus that the member for Simcoe East has given to the role of the federal government and particularly the role of the federal member in that area, Mr DeVillers.

Since I've taken over this portfolio, I have been very actively seeking a solution for a number of these communities which face the total abandonment of their rail infrastructure by the federal government and by CN. It's unfortunate that other levels of government have to pick up the responsibility, but we've been willing to work with partners. I have met with groups of mayors. You referenced one meeting that I attended myself. I've met several other times with groups from different communities.

We have canvassed the shippers in these areas. We have a full idea of what their options are with respect to alternative transportation, whether there are options, their reliance on rail. We have a much better and clearer idea of which of the lines in fact are economically viable. Many of the lines that are being proposed to be abandoned unfortunately aren't economically viable. As one shipper put it, CN has actively demarketed those lines and let the physical plant deteriorate to a point that no private investor is going to move in.

I have met with these people. I have met with the unions, and you referenced that meeting, and I have a commitment from them. I'm pleased to share some correspondence with you tonight.

I'm going to send over a September 20 letter from the Brotherhood of Maintenance of Way Employees. In that, you'll see they say that they are willing to negotiate. "The BMW would agree to negotiate an agreement

appropriate to any short-line purchases, based on each individual short line."

I'm also going to send over a letter of September 27 from the United Transportation Union. While they don't think CN should be abandoning these, and neither do the communities, they recognize that there may be special circumstances that would require a differentiated type of union than that which existed under the national railroads operation. They're prepared to discuss that.

I'm also going to send you an October 20 letter from myself to Paul Wessinger, the MPP for Simcoe Centre, a full update, and an October 31 letter from myself to Mr Drury, the warden of the county of Simcoe, updating him on our efforts and discussions with CN with respect to the potential purchase of the southern part of the line in terms of Toronto to Barrie to maintain the possibility of GO service, but also, I point out, because CN, backed again by the federal government, is proposing abandoning the very south part, which would cut the legs out from any discussion that would serve Simcoe county.

I have said time and time again that Bill 40 is not the problem, and I hope that you will start to appreciate what I mean when I see and show you the unions that are prepared to negotiate. I ask you to look at the Exeter line which was short-lined before Bill 40 was even proclaimed. Since then, it's been certified and the first contract is being negotiated.

The member asked about potential investors. There are two potential investors for the Graham subdivision, three for the Barrie to Collingwood line, one on the Rymal line. These are investors that we have sought. The federal government hasn't, and CN hasn't helped us. In general, companies like Railtex have expressed an interest in a number of lines; two other American companies and several Ontario-based companies. I'm not going to provide you with specific potential investors' names on those lines today, because at this point in time they haven't made their intentions clear.

But I'll tell you, at the very end of the day, as much as we can bring investors to the table and as much as we can bring unions to the table—and we have—CN will make the decision about to whom they will sell and if they will sell and under what conditions, and the federal government is the government that we should continue to push.

Mr DeVillers was at the meeting I had. All the people who were there in that room said they didn't believe Bill 40 was a problem any more. The only person up there who's continuing to say that is Mr DeVillers. Quite frankly, the meeting he is calling and having together is simply to deflect attention from where it properly belongs: the federal government.

**The Speaker:** And I didn't cut you off.

#### CANCER TREATMENT

**The Speaker (Hon David Warner):** The honourable member for Eglinton had filed her dissatisfaction with the answer given to her question by the Minister of Health concerning Taxol. The member for Eglinton has up to five minutes to make her presentation.

**Ms Dianne Poole (Eglinton):** Mr Speaker, you

certainly know who your friends are during a late show. Notice everybody has left except the minister and I and a few other stalwarts.

This afternoon I asked a question of the Minister of Health about a very serious issue, breast cancer treatment. I have to tell you I was very disappointed in her response.

As members know, breast cancer is the single most common malignancy found in North American women. Currently, one in nine Canadian women can expect to develop breast cancer during her lifetime and one in 23 will die of the disease. Overall, breast cancer is the leading cause of death among women aged 35 to 55.

That is why there was such deep concern when the Alliance of Breast Cancer Survivors raised the issue of lack of access to a new treatment. This morning they held a press conference to bring their concerns to the Legislature.

In December 1993, a new drug, Taxol, was approved for use against metastatic breast cancer; that's breast cancer which has spread. Taxol has proven to be extremely effective in improving the quality of life of many women with this life-threatening disease. The British Columbia cancer agency has called Taxol "one of the most significant new drugs developed for breast and ovarian cancer treatment in the past decade." They state that in a Canadian clinical trial, biweekly administration of Taxol and Platinol in patients with advanced breast cancer resulted in either complete or partial remission in 85% of patients. You'd be interested to know that they fully fund Taxol in BC.

Hospitals and cancer centres in Ontario are concerned about the high cost involved in performing the treatment, particularly if they can't get ministry help in paying for it. The Ontario Cancer Treatment and Research Foundation confirms that few hospitals are providing Taxol because of the cost. This poses a problem for the foundation. If its cancer centres only were to offer Taxol in Ontario, the foundation could not manage the demand, neither financially nor with the cancer centre's limited staff and space.

Minister, there's urgency to this situation. Only if women are admitted to hospital are they able to access Taxol through the hospital system. As you know, this leaves many women out in the cold. They don't want to become hospital inpatients; they want to stay at home with their families when they are in the advanced stages of breast cancer.

I do have to tell you again that I was disappointed in your response today. It's all well and good to recite statistics about funding new cancer centres and all the other recent initiatives, but as one of the breast cancer survivors said after your response, all that does not impact on patients now.

Let's make it clear: We are not talking about an untried drug in its early experimental stages. The federal government has already conducted clinical trials, established guidelines and approved Taxol for usage in Canada.

The Ontario Cancer Treatment and Research Founda-

tion will be providing you shortly with administrative guidelines and positive efficacy results. When you receive the guidelines from the cancer foundation, Minister, we urge you to act immediately to ensure cancer centres and hospitals are provided with the necessary funds to cover Taxol. We again call on the government today to make that commitment to the women of this province.

I'd like to close with a very eloquent plea from Dr Judith Rosner-Siegel, who this morning said in the press conference: "The Alliance of Breast Cancer Survivors and all persons touched by cancer in this province call on the minister to act now. Don't wait for another woman to die. Reduce the statistics a bit because you have acted with an understanding of what we need and with justice. Give us the freedom to live."

In the press conference this morning Judith Rosner-Siegel also quoted from the prayer which you read in this House every day, which talks about using power wisely and well.

The government can find money to support other programs which we do not feel is a good use of taxpayer money. I think the women of this province deserve nothing less than to have their share of funding for a drug which will make an incredible difference to the quality of life of those unfortunate women who have to face breast cancer.

**The Speaker:** The Minister of Health has up to five minutes for her reply.

**Hon Ruth Grier (Minister of Health):** In reply, I have to say to the honourable member that I regret the tone of her remarks, which seem to imply that this government does not take seriously the issue of breast cancer in women. I think in my response this afternoon I made it very clear that our commitment to the cancer treatment system of this province is unparalleled.

Let me use this opportunity to correct the record, because as I said that, I used an incorrect figure. We have invested \$370 million in capital funding in cancer treatment in this province and we have invested in the Ontario breast screening program. I said this afternoon that we had opened 600 more breast screening centres. I should have said six. The number I was thinking of was that now 60,000 women in this province are screened a year. That's up from 500 in 1990, progress that I'm very proud of having made.

Treatment and early detection are only two steps. We have to move to prevention of breast cancer. I was at an inspiring forum last night held in North York by the Canadian Breast Cancer Foundation about breast cancer and the environment. Experts from the United States who are working on the research to make the link between environmental effects and cancer were very eloquent; they talked about the issue of pesticides in our foodstuffs. While the member opposite is concerned about breast cancer, in the same question period today her colleague the member for Renfrew North was criticizing this government for having funded a group that was raising concerns in rural areas about pesticides and about foodstuffs.

Our Minister of Environment responded very effective-



ly about the work we are doing with OMAFRA and with farmers in the OFA about reducing pesticides, but I say to the member opposite that you have to understand that just picking one little bit of the cancer problem isn't good enough. We have to look at this in its totality and we have to move to prevention. Our Tobacco Control Act is doing that too, the strongest legislation anywhere on the continent to stop young people from smoking because we know that smoking is a direct cause of cancer.

The question of the drugs to treat this deadly disease is a difficult one because new ones keep coming on the market. Taxol is one of those, but for the member to say we are not funding it is incorrect.

As I said this afternoon, we spent \$700,000 on funding for Taxol last year, and our hospitals and our regional cancer centres provide Taxol within their existing budgets to patients who need it. That demand will place a heavy burden on hospitals and on the cancer centres in the years to come.

In the letter to OCTRF that was mentioned earlier, I made it very clear that the foundation should identify funding pressures resulting from increased service demand in its operating plan. As we do every year, we then work through the global budgets of hospitals and cancer treatment centres in order to identify what they need in the way of funding for drugs.

Taxol is only one of several new and expensive chemotherapy drugs that will be introduced for clinical use in the coming months, and we'll continue to work with the hospitals and the regional cancer centres to ensure that guidelines are in place so that practitioners are clear about what advice they need in order to know when

to prescribe these drugs and so that patients are clear when they ask questions about in which cases they should be prescribed these drugs and what is most effective for them.

We have to do that so that we're sure we're both spending our money and treating people in the most effective way, because people sometimes believe that one new drug is going to solve their problem when in fact it can cause problems. That's why guidelines, not directed by me or somebody within the ministry but proclaimed and developed by the Ontario Cancer Treatment and Research Foundation, are what we need and what we will have and on the basis of which we will determine the funding.

I said in my remarks this afternoon that the price of Taxol is determined by the drug company. I think we have to encourage the pharmaceutical industry to work with consumers and with the health care system to set reasonable prices for these very expensive medications. Until we can do that, we're going to be faced with an ever-increasing cost of drugs and ever-increasingly difficult decisions, because if we fund one thing we have to look somewhere else to make some changes in order to provide that funding.

We've done that very effectively. That's why we're building a really good cancer treatment system in this province.

**The Speaker:** There being no further matters to be debated, this House stands adjourned until 1:30 of the clock Monday next.

*The House adjourned at 1835.*

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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Monday 21 November 1994

# Journal des débats (Hansard)

Lundi 21 novembre 1994

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
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*50th anniversary*

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*50<sup>e</sup> anniversaire*



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 21 November 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 21 novembre 1994

*The House met at 1331.  
Prayers.*

## ESTIMATES

**The Speaker (Hon David Warner):** Standing order 62(a) provides that, "The standing committee on estimates shall present one report with respect to all of the estimates and supplementary estimates considered pursuant to standing orders 59 and 61 no later than the third Thursday in November of each calendar year."

The House not having received a report from the standing committee on estimates for certain ministries and offices on Thursday, 17 November 1994, as required by the standing orders of this House, pursuant to standing order 62(b) the estimates before the committee of the Ministry of Housing, the Ministry of Environment and Energy, the Ministry of Culture, Tourism and Recreation, the Ministry of Economic Development and Trade and the Ministry of Natural Resources are deemed to be passed by the committee and are deemed to be reported to and received by the House.

## MEMBERS' STATEMENTS

### CRIME PREVENTION

**Mr Alvin Curling (Scarborough North):** I rise today to address the issue of crime prevention and safety both at home and in the workplace. Last Friday, I had the opportunity to meet with acting Staff Superintendent Joe Hunter and with Sergeant Pat Tallon of 41 division in my riding of Scarborough North. He was kind enough to give me a tour of the division and explain its workings.

Sergeant Tallon is also responsible for media and public relations for 4 district headquarters and district community services.

I had occasion to utilize the expertise and resources of 41 division recently when I was compiling information for my booklet, *Crime Prevention and Personal Safety Guide*, published for my constituents. For anyone, of course, wishing a copy of this guide, it's available free of charge through my office.

I am pleased to report to members today that violent crime is down in my area and all across Scarborough by 5.4%. Clearly, the initiatives that the police and community organizations have implemented in raising public cooperation and awareness have contributed to this decrease. There is still much work to do, and the involvement of everyone is crucial in addressing this issue.

I was very impressed with the fact of the lack of funds and lack of support that are given to the police from time to time for such an excellent job. I'd like to acknowledge also the participation of numerous community groups and organizations that have done a tremendous job.

Again, thanks to those wonderful men and women who enforce the law and thanks also to the community.

## VOLUNTEER FIREFIGHTERS

**Mr Ted Arnott (Wellington):** This afternoon, I plan to introduce a private member's bill that would amend the Highway Traffic Act to allow volunteer firefighters the use of a green flashing light on or in their vehicles while they travel to an emergency call. We need this because volunteer firefighters use their own personal vehicles when responding to an emergency call. The flashing green light would alert motorists that emergency personnel are on their way so that time is saved and safety is enhanced. The lights would not allow firefighters to disregard the rules of the road.

Many municipal councils in Wellington have written to me to express support for this important safety device. I have also a letter of support from the firefighters' association of Ontario. On September 10, 1992, I wrote the first of nine letters to the former Minister of Transportation requesting that the government amend legislation to allow for green flashing lights. The minister promised in each of his replies—nine replies—that his government would actively pursue this issue, and I believe he said at the earlier possible opportunity.

This past June, I asked the minister in the Legislature why the government had not yet acted. He responded that the Liberal caucus was responsible for the delay but that the government would act on this item as soon as possible. However, eight days later he indicated to me by letter that the government would not proceed with amending the legislation in the near future.

For more than two years, the government has been promising volunteer firefighters that the law would be changed to allow them to use flashing lights. I believe now that there is broad consensus between all three parties on this initiative. I encourage all parties to put their partisan feelings aside and work together to ensure that this private member's bill, which would allow volunteer firefighters the use of a flashing green light, is made into law before the House recesses at Christmas.

## SEWAGE AND WATER TREATMENT

**Ms Christel Haeck (St Catharines-Brock):** I am pleased to take this opportunity today to tell everyone about a project in Niagara-on-the-Lake which has the potential to radically change the way we treat waste water. It's called the SWAMP, or sewage waste amendment marsh process, and it involves using marsh plants like cattails and bulrushes to treat waste water without the use of chemicals. If proven effective, everyone in Canada and the US will have an inexpensive, environmentally friendly way to treat waste water.

Constructed wetlands clean up sewage effluent year-round without the use of harmful chemicals while providing a wildlife sanctuary in a natural setting. The experiment has been going on at a "swamp" in Niagara-



on-the-Lake under the watchful eye of Dr Edgar Lemon from the Friends of Fort George organization for over three years, with great results. I'm pleased that the Ministry of Environment and Energy has assisted this research project by providing funding and technical support totalling over \$65,000.

Recently, I attended a ceremony where the federal government and the United States Environmental Protection Agency announced they would also contribute funds to the experiment. The SWAMP method of treating sewage waste is not only environmentally friendly; it's much cheaper than our current practice of using chemical treatment plants. In fact, it would cost about \$2 million to construct a swamp purification plant or system which could do the job of the \$7.5-million plant just opened in Niagara.

I highly recommend this system and I hope all members will consider this for their ridings.

#### CHILD AND FAMILY SERVICES

**Mr Charles Beer (York-Mackenzie):** Earlier today, members from all three parties attended the annual lobby of the Ontario Association of Interval and Transition Houses, more commonly known as OAITH. During the course of the meeting, the names of all of the abused women who have been murdered by their spouse or partner during the past year, some 119 women and children, were read out.

I do not for a moment question the desire among all members to bring forward legislation, regulations, programs, whatever is necessary to end this devastating toll, and yet we must as legislators recognize that while we have made tremendous strides in dealing with the issue of abused women and their children, we clearly have not yet done enough.

The concerns raised today covered a whole host of issues: concerns around the implementation of the social contract and expenditure control plans of this government; concerns around social assistance reform at both the provincial and federal levels; concerns about pay equity, employment equity; many concerns affecting the provision of children's services, of more supervised access centres, and concerns for a real attack on child poverty; concerns that despite progress in the judicial system there is still a lack of sensitivity to racial, cultural and sexual diversity; concerns about how effectively our family court system understands the nature of abuse issues and concern about the cuts to legal aid plan funding; and finally, real concern over the cancellation of training of anti-racism and anti-oppression work.

At the end of their session with each of the caucuses, the representatives from OAITH gave us roses and asked us to place them at each member's desk. Let us today recognize the progress we have made, but let us equally recognize what remains to be done and pledge to do it.

1340

#### ANTI-TOBACCO LEGISLATION

**Mr Cameron Jackson (Burlington South):** On Monday, November 14, I had the privilege of speaking in recognition of the installation of the Merchant Navy Book of Remembrance at Queen's Park and to greet and pay

tribute to the many naval veterans and associations that attended.

Today I wish to acknowledge with pride that the Royal Canadian Naval Association, Burlington branch, has won the national honour of RCNA club of the year. Nelson Larche, the president of the association, received the high honour of becoming RCNA member of the year for all of Canada. I would like to publicly congratulate the RCNA, Burlington, and President Nelson Larche on their significant achievements which assist us all, and especially our youth, to keep forever alive the timeless call, "We shall remember them."

This is why it is so hard to reconcile that the NDP government now wishes to remove smoking privileges in some of our veterans hospitals. On November 3, I wrote to Health minister Grier asking her to investigate this matter and to reconsider it. To date the minister has not responded.

On Friday, November 18, I visited Parkwood Hospital in London, home to almost 500 veterans, and met with Bob Eggleton, a non-smoker and president of the veterans' residents' council, concerned about the no-smoking ban in the designated lounge areas.

A smoke-free society is clearly a health promotion goal. However, Canadian veterans who have made so many sacrifices for our freedoms should not have the simple pleasures which comfort them in their last days removed. On their behalf, I again ask the Health minister to reconsider this ill-advised decision.

#### TOWNSHIP OF ERNESTOWN

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** I want to tell you where it's hot in Ontario with respect to manufacturing and industrial growth and where it's happening. In Ernestown township, that's where.

Located in the eastern end of the riding of Prince Edward-Lennox-South Hastings, just west of Kingston, Ernestown township is an ideal place to live and work and play. Recent significant investments by the Ontario government through the Jobs Ontario program, investments by the township, Ontario and Canada through the Canada-Ontario infrastructure works program, and most importantly, investments by private sector industries mean investments totalling almost \$1 billion in the township in the past year according to David Cash of the Kingston and Area Economic Development Commission.

I would like to share some specifics with respect to these considerable investments. Celanese Canada Inc recently announced an investment of \$160 million to upgrade its plant to ensure that the present 360 jobs will be maintained. This happened directly as a result of the soon-to-be built Destec cogeneration steam electricity plant, which will reduce operating costs for Celanese.

The Bombardier-UTDC plant has a contract for \$600 million to build vehicles for an urban transit rail line in Kuala Lumpur, Malaysia, which means employment for over 300 workers.

Ernestown township has over 770 acres of land planned and prepared for industrial use. Situated on Lake Ontario, it has excellent rail and highway service, and air

service at Kingston airport. It will soon have an abundant supply of steam available for industry requiring it.

Much credit goes to Ian Wilson, immediate past reeve of the township, for his continued efforts to ensure the township is a leader in growth and development and also a wonderful place to live.

#### LEADER OF THE THIRD PARTY

**Mrs Elinor Caplan (Orlino):** This weekend the Conservative boss got yet another makeover: The same American image maker who tried to transform Ollie North from a convicted liar and thief into a law-abiding politician has been working with his new prize student. Like a new car, the image makers unveiled yet another model of Mike Harris.

Gone is the tough exterior. Gone is the man who enjoyed the nickname Atilla the Un just a few months ago. The new Mike Harris is going to be a sensitive guy of the 1990s. He says he cares, he bleeds, he even hurts. The problem for Ontarians is that while Mike Harris wants to be a warm and sensitive guy of the 1990s, his ideas and attitudes firmly remain anchored in the 1950s.

Mr Sensitive thinks children on welfare are getting too much to eat, and so he's going to cut, cut, cut. Mr Sensitive says natives are just sitting on their reserves being lazy. And Mr Sensitive said of immigrants, "We're getting too many, not just blacks, we're getting too many from other countries too."

One thing hasn't changed: Atilla is still a member of a party that dares not speak its name. In his sensitive-style speech on Saturday, there were lots of words: nouns, adjectives, verbs. Even "Liberal" and "NDP" were mentioned four times. But the words "Progressive" and "Conservative" were never mentioned once.

Don't be fooled. The Conservative Party is the dangling participle of Ontario politics. A zebra can't change its stripes, and Mike Harris's stars and stripes are red, white and blue.

#### CHILD DAY

**Mrs Elizabeth Witmer (Waterloo North):** Yesterday, November 20, was national Child Day, a date which was proclaimed last year by the federal government to coincide with the anniversary date of the United Nations Convention on the Rights of the Child.

In my community of Kitchener-Waterloo, close to 50 different organizations joined forces to plan a week of activities to raise public awareness about this day, to increase the community sensitivity to the special care and nurturing that all children need, and to encourage families to participate in celebrating this important day. I would like to congratulate the regional community health department for taking the lead in organizing this important campaign.

However, as we talk about national Child Day, it is important to remember that some 681,000 Ontario families live in poverty, and this morning, when my colleagues and I met with the representatives of the Ontario Association of Interval and Transition Houses, they impressed upon us the need for urgent action by the provincial government to assist in meeting the goal of eliminating child poverty by the year 2000. This Thurs-

day, Campaign 2000 will be releasing its fifth annual report card on child poverty, and it's expected that it will show that the number of families living in poverty in Canada has increased.

We are all concerned about the plight of children who live in poverty. I urge everyone to make an increased commitment to helping those children.

#### PROGRESSIVE CONSERVATIVE PARTY

**Mr Gordon Mills (Durham East):** I stand in my place today to talk about the revolution, partly, in London.

A neighbour of mine in Orono is, believe it or not, the daughter of Eric Liddell. Eric Liddell is that fine humanitarian who did more for civilization than a thousand Tories would attempt to do. He served the poor; he gave his life for the poor. He served in China; he gave his life in China. His life story was the essence for the movie *Chariots of Fire*, and that movie went on to win the best picture of the year and all kinds of Oscars.

I just want to say on the record that for the Tories to use the march, the theme music from that wonderful movie *Chariots of Fire*, in London on the weekend as they fought like frenzied crocodiles to bid for the bill to destroy Bill 40 that means so much to the working people of this country is absolutely diabolical. It's not only an affront to all the working people, but more than that, to use the theme music from *Chariots of Fire* is an affront to Eric Liddell, the man who stood for the working and the underdogs in this country and in China. You're a disgrace, the whole blinking lot of you. You should be shot, the lot of you.

#### *Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Kimble Sutherland (Oxford):** Mr Speaker, I rise on a point of order under standing order 21. I have two matters to bring to your attention.

It is reported in the morning's *Globe and Mail* that the Progressive Conservative Party, presumably with the knowledge of the leader, sent a camera crew to the biennial convention of the Ontario New Democratic Party. This camera crew, firstly, lied to convention officials with respect to their identity and shot clips of the Premier for broadcast to the Conservative convention.

This is not the substance of my point of privilege, although I note that those kinds of dirty tricks had no place in Canadian political life until now. They are more associated with the antics of Oliver North and his ilk. But I do want to call to your attention that the imposter camera crew got the television clips broadcast to the Conservative convention, in the words of the *Globe and Mail*, "to poke fun at NDP leader Bob Rae by engineering the sound track to give him a stutter."

Mr Speaker, we have seen this kind of disgraceful behaviour before, when the Conservative Party of Canada tried to ridicule the facial expression of the Honourable Jean Chrétien during the 1993 general election.

#### *Interjections.*

**The Speaker:** Order. Would the member for Oxford please take his seat. The member for Oxford, please come



to order. He will know that he does not have a point of order. He speaks of matters which occurred outside of the chamber and are not subject to the standing rules of this House.

1350

**Mr Alvin Curling (Scarborough North):** Mr Speaker, on a point of order: How can the opposition conduct question period with none of the government people here? About two thirds of them are not here.

**The Speaker:** The member will know that he does not have a point of order.

#### VISITORS

**The Speaker (Hon David Warner):** I would invite all members to join me in welcoming to our assembly and indeed to our country, seated in the Speaker's gallery, the honourable Ishmael Roett, Speaker of the House of Assembly, Barbados, and Ms Delores Watson from the Barbados consulate. Welcome.

#### ORAL QUESTIONS

##### WATER QUALITY

**Mr Steven Offer (Mississauga North):** I have a question to the Minister of Environment and Energy and it has to do with the report of the Provincial Auditor of last week. The minister will be aware that the Provincial Auditor revealed last week that there are communities in the province that are being exposed to discharges of untreated or raw sewage. Their sewage treatment plants are not complying with health and environmental guidelines set by you.

The Provincial Auditor reviewed the performance of 27 treatment plants and almost one third of these plants were found to be in non-compliance for one or more of the following reasons: They did not have the equipment to monitor the discharge of untreated sewage; they did not measure or report the discharge of untreated sewage, or they had significant delays in reporting these discharge occurrences to your ministry.

Will the minister today commit to releasing the list of sewage treatment plants as identified by the auditor that breached your guidelines for discharging untreated waste into our lakes, rivers and streams, our potential sources for drinking water?

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** Yes.

**Mr Offer:** By way of supplementary, the auditor revealed only 27 sewage treatment plants in his report, and of that, almost a third were in non-compliance with your guidelines regarding the discharge of untreated sewage.

As you've committed today, you should be aware that there are 415 sewage treatment plants in the province, and if the auditor's report is any indication, there could be as many as 125 sewage treatment plants in the province today that are not meeting proper treatment and discharge requirements. Thousands of people across this province are potentially at risk.

The auditor stated, and I quote, "To date, little action has been taken by the ministry to address these con-

cerns." Minister, what action have you taken to inform the people in the province who are currently at risk? What action will you take to ensure that filth is not being dumped into our lakes, rivers and streams?

**Hon Mr Wildman:** I hope the member will not attempt to describe the situation as any more serious than it is. He will know that the auditor's report was dealing with a situation as he identified in 1992. It was based on the dischargers report of 1991, which he knows I'm sure is an annual report that is required by law from all of the dischargers which we compile and then release. Not only do we release it, we share it internationally because of our obligations to our neighbours around the Great Lakes. So all of this information is available publicly and has been.

The auditor's report, as I said, dealt with a situation in 1992 based on the 1991 discharges report. The number of communities actually involved was not 91 as the auditor indicated but 96 that were out of compliance. I'm happy to say, based on the information we are currently compiling from the 1993 dischargers reports, which we will be releasing soon, all but 15 are in compliance. Only four operated by OCWA and 11 by municipalities are currently out of compliance.

We are working with those municipalities to ensure that they will in fact come into compliance. Some of those involve capital expenditures and a number of those municipalities have applied for assistance. Some have gotten approval for assistance for new sewage treatment plants or whatever. Some of the non-compliance matters, of course, are very minor and don't require a great deal of capital work.

**The Speaker (Hon David Warner):** Could the minister conclude his response, please.

**Hon Mr Wildman:** So let's be very frank here. This is an important matter, but we have in fact taken action and have responded and the matter is being dealt with.

**Mr Offer:** It's very interesting. I'm glad that the minister has brought forward the annual reports that he is supposed to release. The auditor did refer to an annual report published by your ministry on discharges from municipal sewage treatment plants in Ontario and the auditor did make note that the most recent edition is the report on discharges occurring in 1991. But it was released by your ministry in September 1993—one and a half years to release this report.

When we take a look at that 1991 report, it reveals that fully 91 sewage treatment plants in the province failed to meet the compliance guidelines of your government. The report also lists that of the 10 worst-performing sewage treatment plants in Ontario, seven are operated by you, the provincial government.

So the question remains, Minister: Why was there a delay in releasing the results of the 1991 report, and will you provide an update on the status of the compliance of the 91 sewage treatment plants identified in your own report?

**Hon Mr Wildman:** I think it's unfortunate the member didn't hear my answer to the previous question before he wrote the question for his third, because I just

answered all of that in my answer to his second question. In fact, I did give an update and I indicated how we had responded and I pointed out that the information the auditor had was based on the 1991 report. I indicated to the member that it was not the latest material available to the public or available, for that matter, internationally. In fact the latest is 1992. I indicated what the current status is based on the matters that we are compiling from the 1993 dischargers report which we are currently bringing together, to which we will respond.

As I said, I am prepared to table the information the member has requested and I indicated to him that of the 96 communities that the auditor was considering—not 91, as he said in his report—only 15 remain out of compliance. So the member mustn't have heard what I said in answer to his second question or he wouldn't have repeated it in his third question.

#### JUSTICE SYSTEM

**Mr Tim Murphy (St George-St David):** My question is to the Solicitor General. The response of people across this province to the release of Wray Budreo this weekend underlined the lack of faith people have in the criminal justice system. This weekend people demonstrated and marched to express their rage and frustration with a system that they think no longer protects their children. In fact, it's a system that seems to give more rights to the criminal than to the victim.

I think the police and local communities did a good job this weekend with inadequate tools. We've asked the Attorney General what action she could take and we saw her shrug her shoulders. We asked the Health minister and we saw her shrug her shoulders. I want to ask the Solicitor General what specific and concrete action he has taken, every possible measure he's taken, to ensure that children in communities across this province are protected, and I want to see more than a shrug of his shoulders.

**Hon David Christopherson (Solicitor General and Minister of Correctional Services):** As the honourable member knows, the issue he's raising is a federal one. It was the federal system that the individual was released from. That's not trying to pass the buck, but merely to make sure that we're stating the facts and putting things in their proper context.

In terms of the police, which is my direct responsibility, and I would assume that's what the member was striving to hear from me on, I've been working with the corrections community both provincially and federally as well as the Ontario Association of Chiefs of Police, in particular to work on a set of guidelines that would assist police in dealing with the question of release of names. What types of measures should they take and when would it be appropriate, and how do they balance the rights of the individual in terms of their rights under the law as well as the rights of communities?

I agree with him that the police in this case have handled this exceptionally well, with great sensitivity for the rights of the individual, but also recognizing the importance to communities. We're down to the final stretch on this. The police are a part of developing the guideline. We've got just a few more issues to work

through and then I expect to be issuing a directive from my office to all police services giving them the kind of direction that they need.

I would say to him very directly it will very much resemble the types of responses we've seen from police on this particular issue and also if you look at what the police service in Hamilton-Wentworth, my own community, has been doing with its own type of local release-of-names process.

1400

**Mr Murphy:** To blame this issue on the federal government shows the Solicitor General does not understand this issue. The Attorney General's own deputy pointed to her government and his government as having the appropriate field for action, so it's clear that he doesn't understand what's going on. It's just not good enough. If the government doesn't have the tools to do the job, it should create them. That's what I hear and people in ridings all across this province hear. The police will tell them they don't have the adequate tools to do the job.

Last week my colleague urged the government to act on the laws to keep sexual predators locked up. All your colleagues the Attorney General and the Minister of Health could say was that they would continue to have meetings to discuss it.

Today I will be introducing two bills which are designed to make the parole system work for victims and not just for offenders.

A year ago we raised in this House the issue of Clinton Suzack. We have not heard a single report back from the Solicitor General on that issue yet despite a year's passing. He could have acted in the interim.

I'm asking the Solicitor General, will you undertake to work with me to ensure that legislation to implement victims' rights and to make the parole system more accountable to the people of Ontario can be passed? I've provided you with copies of those bills, and I hope you'll support them.

**Hon Mr Christopherson:** It's disappointing to see this particular member play those kinds of misinformation games and try to twist things around. That's not usually his style; he's usually very straightforward. The fact is that he asked me questions about my area of responsibility with regard to this issue and issues like it. I answered very directly and very up front about where we were and what we had done and what we're continuing to do to work with the police.

I would remind him, if we're going to talk about who's responsible for what, that it's his Liberal cousins who run the national government. Why don't you talk to them about what they ought to be doing? They're the ones who said they can't do anything. Why do you pop up here and then say, "No, I'm not trying to play any games"? That's very much unlike you. I'm very shocked to hear you like that.

On the issue of his legislation, I've had a chance to look at the two documents. I think there are two different pieces of legislation he's proposing. I had a little bit of time before the House to look at them. I think that he will know that Bill C-45, which the federal government



now has in the House, deals with parts of this. In fact, much of it is word for word what the Liberals have proposed. We are indeed very interested in what they're doing. As you know, they've had first reading. Now it's gone to committee. As I understand it, in fact the committee process starts this week. I would think he and I and the rest of us here would want benefit of those committee hearings and the community groups that are going to have input.

With the issue of victims' rights, we have done a great deal in that area. We continue to work in that area. We are not finished in the area of victims' rights. We will continue to make it a priority. He will see that as the balance of our mandate unfolds.

**Mr Murphy:** Again the Solicitor General shows his misunderstanding of the issue. It's his own government that said his government should act and not the federal government. He should talk to his compatriot the Attorney General and get her to explain it to him, although she's—well, I won't say that.

I do want to say that what people were concerned about and protesting about this weekend was their sense that their governments are complacent and unwilling to take the steps that are necessary to make our cities and towns safe. They see their governments stand by and watch human tragedies take place and then say there was nothing they could do. People are tired of hearing that nothing can be done.

I'd like to get together and act now and find a way to do something. We've worked with you before on other things, and I'm asking you to do it again and not to put it off. As I said, I'll be introducing these two bills this afternoon.

#### *Interjections.*

**Mr Murphy:** I hear heckling from the third party, and I hope they join with me and I hope the critic from the Progressive Conservative Party will join with me to meet today and determine whether there is support to pass these bills this session. Are you prepared to even take this one small step?

**Hon Mr Christopherson:** As I've already indicated to the honourable member, much of what he is suggesting here is contained in Bill C-45 that the federal government has tabled. They are interested in receiving community input and hearing what the experts have to say before they enact it, and I would strongly suggest that it makes for good lawmaking for us to do exactly the same thing.

With regard to the other piece of legislation that he has suggested, I would remind him, of course, that much of this is already done. Granted, it's done by policy, but that was policies—to give credit to the previous government, it was done in 1989. So if there's a real need to make them mandatory, you could have done it at that time.

That doesn't mean that we shouldn't look at it, and we will and we are and we're working closely with the federal government with regard to their changes because, as the member knows—I think he is a lawyer; he understands this better than I—indeed much of the legislation we have with regard to correctional release and probation and parole is set by the federal government. In fact, the

federal government and the federal national parole system is the parole system in most provinces. We're one of the few that has our own. We consider this—I consider this—to be of the utmost importance and I can assure him that we've already been on top of this and will continue to stay on top of it.

#### DRINKING AND DRIVING

**Mrs Margaret Marland (Mississauga South):** My question is for the Attorney General. For a year now the Attorney General has had sitting on her desk a dozen excellent suggestions from Mothers Against Drunk Driving. MADD proposes several legislative changes to reduce the tragic problem of drinking and driving which takes hundreds of lives in Ontario every year. In fact, alcohol is a factor in 81% of all highway deaths. Two months ago the Drinking/Driving Countermeasures Office released a statistical report which showed that after a decade of decline, drunk driving is now on the increase.

By this minister's own report, there were 30,000 drunk driving convictions in 1992. A shocking 59% of those were repeat offenders; 18,000 drivers drunk and caught. We don't know how many were out there in that one year.

I ask the Attorney General, why have you not acted on the excellent suggestions that were put forward by Mothers Against Drunk Driving and why have you done nothing to fight drunk driving?

**Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues):** Well, the member is quite wrong that we have done nothing at all to combat the problem of drunk driving. In fact, she needs to be very much aware that we see the drunk driving problem together with the other problem drivers, aggressive drivers, where we're working in terms of the photo-radar and some stepped-up stances against speeders and against aggressive drivers, the graduated licence program where there's a zero tolerance of alcohol for young or new drivers, and we are gradually working at that.

We made a conscious decision that for some of the changes in licensing that would be required under her bill and the suggestions that had come forward around an automatic suspension until trial for drunk drivers, we needed the opportunity to see the effect of some of these other areas of licence change, particularly the graduated licence.

This government has continued to support the RIDE program, we've continued to fast-track impaired driving courts so that we can get some of these cases through the courts, get our convictions earlier, and it just simply is incorrect to say that because we haven't followed a certain number of recommendations from an advocacy group, we have done nothing. That is not to say we're not interested in those recommendations and that we don't consider them as actions that we may be able to take in future years.

**Mrs Marland:** Minister, I'd like you to go today and knock on the door of a family of victims of drunk drivers and tell them that photo-radar is doing something to stop that killing. That's insulting. You cut your budget \$2 million and you say you're doing something.

Today I will introduce a bill that will get tough with drunk drivers. I have provided you with an advance copy. Under my bill people convicted of drunk driving more than once will lose their licences for life. Before getting those licences back, first-time offenders will have to take education and rehabilitation programs. Drivers charged with impaired driving will have their licences suspended automatically for 90 days after the charge is laid. I point out that that is the case today in Manitoba, it's gone all the way to the Supreme Court and it's been challenged twice and upheld. Vehicles of people who drive while disqualified would be impounded and, if the driver is guilty, sold by auction and the money used for education programs.

My bill would also make it an offence punishable by a fine or imprisonment to knowingly lend a vehicle to a disqualified driver.

1410

**The Speaker (Hon David Warner):** Could the member place a question, please.

**Mrs Marland:** Minister, if I as a private member could come up with this kind of legislation, why hasn't your government come up with tougher legislation when, by your own report, drunk driving is on the increase—

**The Speaker:** Could the member complete her question.

**Mrs Marland:** —so what you're doing is not working?

**Hon Mrs Boyd:** There are some real problems with what the member suggests, and these are problems with which we are trying to work before taking the kind of drastic action she's suggesting.

For example, we know that the largest number of those who are drunk drivers are repeat drunk drivers, and they often are driving while their licence is suspended. There is great concern among those who know a great deal about this and are specialists in this field that the effect of a lifetime suspension, which this member suggests, would simply fuel the problem of people driving while their licence is suspended. Similarly, there is clear evidence that when people's cars are seized or they haven't got the access to the car in which they were driving at the time they were stopped, they simply get another one. We need to find ways to resolve those problems, and we will do so.

Similarly, on the vehicle seizure issue, there are real problems, and certainly our police forces have advised us of the real problem of the kind of warehousing of vehicles that would occur with the seizure of vehicles while this process is going on. The member says, "Just sell them," and there are some real problems around the private property issues for people under those circumstances.

**Mrs Marland:** I can't believe that you're standing in this House talking about a problem being warehousing vehicles. Is the problem not putting bodies in the ground that are killed by drunk drivers? I ask you, is that not the problem?

The real problem is you. If you cared and you wanted to do something, you could do something, instead of

standing in this House and making excuses about why this bill wouldn't work. I simply say to you again that if you wanted to act on this bill in a non-partisan manner, you could, the same as you did the bullet bill. In two days we passed a bill controlling the sale of ammunition in this province.

I say to you again, if you were sincere about doing something about people being killed by drunk drivers, you wouldn't worry about what you would do with their vehicles when their vehicles were impounded—

**The Speaker:** Would the member place a question, please.

**Mrs Marland:** —for driving without a licence.

I ask this minister again for a commitment to the people who are victims in this province by their family members and friends being killed by drunk drivers. Don't stand there and defend them, the fact that they wouldn't have a car to drive—

**The Speaker:** Would the member please place a question.

**Mrs Marland:** —or where you would store it.

I ask you finally, once more, will you once and for all take a strong stand against drunk driving and take away the licences of people who drink twice and are caught for impaired driving twice?

**Hon Mrs Boyd:** The members on this side of the House empathize as much as the member opposite about the problems that are faced by victims and by families of victims of drunk drivers, and we are very concerned about the issues that have been raised and very much admiring of the kind of work that advocacy groups like MADD have done.

But what we are saying to the member is that there are issues that our caucus has looked at that we as a group of people believe need to be straightened out before we take some of the actions she has suggested. We are not convinced that the actions she suggests are the ones that are going to be the greatest deterrent, particularly the lifetime suspension issue.

I do not have any empathy with people who drink and drive. In fact, I feel just as strongly as the member does. But the problem with us in making laws is to make laws that work and have the effect that we expect them to have. We have real concerns that the measures which the member is suggesting would have the effect that she wishes they would have.

#### HEALTH CARDS

**Mr Jim Wilson (Simcoe West):** My question is to the Minister of Health. I have a series of very simple questions with respect to your new health card system. I want to know whether it's true that over the last year you committed to the people of Ontario that you would have a province-wide telephone verification system in place to check the validity of new health cards.

I also want to know whether it's true that only 10 hospitals to date have a telephone or IVR system in place. Also, can you tell me whether or not it's true that, of those physicians and staff at those 10 hospitals now that are checking health cards, about 25% of the health cards



have been reported back over the telephone system as either being invalid or having major, major problems? One in four cards being checked currently in this province have major problems. Can you confirm that, Minister?

**Hon Ruth Grier (Minister of Health):** No, I'm sorry, I can't, but I will certainly try to get that information and confirm or deny the member's allegation. I can say to him that the validation pilot projects are up and running and that in fact a growing number of providers have the capacity to use the validation, the verification system to make sure that the cards with which they are presented are in fact still current. We have made enormous progress on improving the system, improving the efficiency of the system, and we continue to work on the preparation of Ontario's new photo health card.

**Mr Jim Wilson:** It's astonishing that when you're spending all this money on trying to put your new photo health card system in place you're not aware of the day-to-day happenings out there with respect to the implementation of the system.

Minister, last May you announced that all Ontarians would have a new photo OHIP card within three years and that the registration process would begin in February 1995. I want to ask you, Minister, is it true that only a small segment of the population, about 10,000 people, will actually receive new photo health cards in year one of your process, and is it true that the registration process will now take much, much longer than the three years you said the process would take? Are either of those true, Minister?

**Hon Mrs Grier:** As I said in response to the first question, work is continuing on both the design of the project and the implementation. It is extremely complex. We are working with my colleague the Minister of Transportation in order to ensure the most appropriate way of delivering the health card across the province.

But what is fundamental for us is not to repeat the mistakes that were made the last time, when health cards were issued to anybody who applied and there were in this House, day after day, instances of double health cards, ineligible people getting health cards. This is a health care system that our government cherishes, protects and is going to protect even more by eradicating fraud, duplication and cheating in our health care system.

**Mr Jim Wilson:** That was a very interesting response, because when I first raised this issue a couple of years ago in the House, we had about 12 million health cards in the province of Ontario for a population of 10 million. Today we have close to 15 million health cards for about the same population base.

I've also been informed that the reason that only a few thousand Ontarian residents will receive cards in your first year of registration is that the cost to produce the new green and white cards with a trillium on them is about three times the original estimate of \$90 million, that the new figure is about \$180 million.

I want to ask the minister a couple more very, very important questions. Is it true, Minister, that you have a report from experts that advise you not to implement the

photo health card system that you're planning to implement? Is it true that the costs for your system have risen and that officials in your ministry now estimate that it could cost three times more than your original estimate? And is it true that after your system is in place, after you've spent the \$180 million, your system will cost \$30 million per year just to operate and it will be \$30 million for ever and ever and ever, year over year over year? Is that true, Minister?

**Hon Mrs Grier:** Let me remind the House that when the Conservatives were in government, there were 25 million health numbers out there in the province. When the Liberals issued the new card, there were, I think, 15 million or 16 million issued. There are now 11.1 million active health cards in Ontario. That is exactly, or almost exactly, the population of this province.

I have made it clear from the beginning that we regard the implementation of a new photo health card for the province of Ontario as very important to the future protection of the system. We are doing it, we are doing the work and we intend to get it right.

1420

#### LONG-TERM-CARE REFORM

**Mrs Barbara Sullivan (Halton Centre):** My question is to the Minister of Health. On August 18, 1994, last summer, your director of long-term care told care providers who appeared at public hearings into Bill 173 that, and I'd just like to quote from Hansard:

"The costs associated with the severance of that individual would obviously be a government responsibility, given that you"—the service providers—"don't have the resources to pay for it otherwise and it's our policy that has required you to take that action."

I'd like the Minister of Health to confirm that it is still her policy to protect existing long-term-care employers such as the Victorian Order of Nurses, Red Cross home-making, the Saint Elizabeth Visiting Nurses' Association, Meals on Wheels and so on, from severance costs for those employees who are not hired by your new MSAs.

**Hon Ruth Grier (Minister of Health):** As the member well knows, we have made amendments to the long-term-care legislation to provide that the MSAs will be successor employers. We have protected the rights of those who are working in the system so that they will have a mandatory job offer. As I've said time and time again, this is an area of health care that is expanding as we bring long-term care into part of the health care system.

I am confident that in fact the vast majority of those people providing care will continue to provide care, albeit in some cases for a different employer. Part of our reason for doing that is not just because we want to protect the people who work in the system, but we know that by protecting those people and making the transition smooth, we're protecting the people that this reform is all about: the seniors and the disabled of this province who will get continuity of care.

**Mrs Sullivan:** I'd just like to point out that the mandatory job offer that the minister refers to as a headline, that really is a reasonable offer, which is the requirement

of the employer, and that reasonable offer is made to union workers over non-union workers under the terms of the New Democratic Party amendments to the bill.

But recently, in meetings with service providers, Ministry of Health representatives indicated that existing providers may have to dispose of all of their assets before the government can make severance payments through the labour adjustment fund. In other words, the Victorian Order of Nurses, Red Cross homemaking, Meals on Wheels and many, many other agencies would necessarily, and in consequence, be forced on the road to bankruptcy.

Is bankruptcy for these agencies which provide exemplary care how you guarantee severance payments to workers you are putting out of a job?

**Hon Mrs Grier:** There are no lengths to which the member will not go in order to portray reorganization of long-term care as a disaster about to fall on this province. In fact, we had in this House last week 300 representatives of a vast variety of seniors' organizations saying to this House, "Get on with your legislation, because we've been waiting for it for 10 years and we like the way you intend to protect seniors, to protect the disabled, to protect volunteers, to protect ethnocultural groups that are already providing services and to protect the workers in the system." That's what our legislation is doing and maybe that's why the member opposite doesn't like it.

#### HYDRO PROJECTS

**Mr Noble Villeneuve (S-D-G & East Grenville):** To the Minister of Environment and Energy, last week the Ottawa Citizen and the Toronto Sun revealed that Ontario Hydro had commissioned a study on manipulating the gas emissions from ruminating cattle. You've had a sex survey; you now have a farmyard gas survey. If Ontario Hydro wasn't so deep in debt, this would be an absolute joke. What did this cost Ontario Hydro?

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** The member I'm sure will be glad to know that the reports in the press regarding Ontario Hydro investing in such a study were nothing more than hot air.

**Mr Villeneuve:** If the real truth were known, methane gas from garbage dumps is 100 times more than the emissions from our ruminating livestock. If Ontario Hydro and the government doesn't know this, go to the Ontario Federation of Agriculture tonight and ask a few farmers just where these emissions really come from.

Mr Speaker, through you to the minister, do you have control on the expenditures of Ontario Hydro or do you let them run amok?

**Hon Mr Wildman:** I guess I shouldn't have used such colourful language. Obviously the member who comes from rural Ontario is not aware of what I meant. The fact is that Ontario Hydro is not investing in, nor is it considering investing in, cattle-diet modification projects in Canada or internationally or anywhere.

The fact is that Ontario Hydro is very much aware of the fact that methane gas coming from landfill is a potential serious problem for greenhouse gases and also is a potential source of energy. As the member knows,

Ontario Hydro announced last week \$110 million to be invested in alternative energy technologies, one of which will perhaps involve studies of methane gas escaping from landfill sites as a source of energy both to deal with the need for alternative energy sources and to avoid pollution in the future.

But I just want to make very clear, as clear as I can, that the member's concerns about the possibility of cattle flatulence being subject to Ontario Hydro investment and study is incorrect.

**The Speaker (Hon David Warner):** The Minister of Consumer and Commercial Relations has a reply to a question asked earlier by the honourable member for Renfrew North.

#### FURNACE VENTING SYSTEMS

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** I am pleased to respond to the question asked by my good friend the member from Renfrew North. I watched the tape and I'm well aware of the issue and the question.

In response to what the ministry and the government is doing to coordinate efforts to try to solve this indeed serious problem, we in fact have been the first jurisdiction in North America—because this problem exists right across North America—to take action whatsoever, and those other jurisdictions are now turning to us to see how they can deal with it.

The first thing we did as a consumer ministry is put out some consumer alerts. We placed ads in newspapers across the province, and we also directed the utilities to inform their customers and indeed to conduct inspections and to inform our ministry of the defects that they were finding out there.

We have also been working with the Ministry of Housing in terms of the problems within the housing that we're responsible for as a government and have come up with a compensation fund for our own housing to help with that. In the meantime, the industry has been working with our government to come up with a solution, and perhaps on the supplementary I can tell the member about that.

**Mr Sean G. Conway (Renfrew North):** I appreciate the minister's timely response. She'll know that last week the Ontario Home Builders' Association wrote to her colleague the Minister of Housing. I think a copy of the letter went to herself and to the Premier. In that letter the Ontario Home Builders' Association indicated that the problem was serious and it was urgent. In fact in that letter dated last week the representation was made to the Ontario government that action needed to be taken within days, if not within hours.

I'm wondering, Minister, what you can tell the 10,000-plus Ontarians who face this potential and serious hazard, what specific action the Ontario government is prepared to assist with in the immediate future so that people across the province faced with this potential hazard will know what they can do as the winter of 1994 bears down on them.

**Hon Ms Churley:** The industry has been working hard to come up with a solution to this and it does have



what it believes to be a problem-free product. This will be able to be used. It's not for the long term. It too will have to be tested, but they believe that it is a problem-free product, and the utilities are out there working with their customers to make sure that these replacements are done and the inspections are done. This is all happening at this time.

I should add that the product in question that the member referred to was banned for sale in Ontario. That was done right away when we first heard about this problem. The industry does believe that this replacement is problem-free and we will be monitoring that very, very closely.

1430

#### OLDER WORKERS

**Mr Steven W. Mahoney (Mississauga West):** My question is to the Minister of Labour. Minister, last week you expressed great concern for workers in the Uniroyal plant in Waterloo who are caught in the bureaucratic nightmare of the program for older worker adjustment.

I want the minister to be aware that over 1,300 workers from all across the province, from Mathews Conveyor in Cobourg, from Cooper Tools in Port Hope, from SteelFabCo in Paris, from Campbell Red Lake mine in northern Ontario, from McDonnell Douglas in Mississauga, are all affected. In fact, the member from Quinte, Hugh O'Neil, has informed me of three plants—Murata Erie, Field Aviation and Corby Distilleries—where older workers are awaiting help. Some of these workers have been waiting since 1991. Some of them have even died while they waited.

Five provinces in Canada participate, as you know, in this joint federal-provincial program. All provinces except for Ontario have signed the annual memorandum of agreement for 1994. Since March, your officials have been dragging their heels and dragging out the negotiations with the federal government, which paid for 70%. Minister, can you tell us what is the status of your negotiations with regard to the program for older worker adjustment?

**Hon Shirley Coppen (Minister of Labour):** The negotiations are still going on between the province and the federal government. As the member has said, the program is funded 70% by the federal government, 30% by the provincial government.

Ontario was hit the worst by this recession that we have lived through for the last four to five years already, with many plant closures, many people being put out of work, and the funding for the program was almost exhausted. As we speak, those negotiations are still going on. We are hoping for a conclusion of them in the next couple of weeks. We will be looking at all of the workers, evaluating which workers will receive their money, as soon as possible, and we should have that done by the end of the year.

I am very sorry, like the member, that this has gone on so long, but he has to remind himself how deeply Ontario was into the recession, and with limited amounts of money, how difficult it is to fund this program.

**Mr Mahoney:** That may be the first time I've heard

the minister admit that they are not prepared or have not been prepared to fund the program. Did I just hear you say, "There is not money available to fund this program?"

**Ms Christel Haeck (St Catharines-Brock):** That's not what she said.

**Mr Mahoney:** That's what I just heard you say.

Minister, you talk about the recession. The provinces of Quebec, Nova Scotia, Newfoundland and British Columbia have seen fit to sign this program designed to help older workers who have been laid off and who have run out of their unemployment insurance benefits. Only the province of Ontario has refused to sign. Only your ministry has been holding back, so laid-off older workers who are entitled to these funds and have been entitled to them in the past are not being serviced. These people are desperate. Don't remind me about the depth of the recession. They can remind you. They are feeling and reeling under the recession because they've been laid off.

Minister, can you please tell us in this House today and those older workers across this province who have been affected by your government's mishandling of these negotiations exactly when they can expect to start seeing the money rolling in? These people are desperate. They need your help and they need your commitment. Give us a firm date today.

**Hon Mrs Coppen:** I feel the member is being totally unfair by saying that we are stalling the negotiations. We are not stalling them. We're working in cooperation.

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Hon Mrs Coppen:** You notice no blame on my part being put on the federal government. This is a very difficult project that we're undertaking. I am not putting blame on any other level of government. I am looking forward to the conclusion of these negotiations so that they will help the workers here in Ontario, and with that type of attitude I hope we will be able to resolve this problem very soon and be able to address the problem.

#### GO RAIL EXPANSION

**Mr Charles Harnick (Willowdale):** My question is to the Minister of Environment and Energy. It concerns the Go Transit rail expansion program in the Richmond Hill corridor, which passes through my riding of Willowdale. The expansion will increase service from the current eight trains per day to a total of 34 trains. These trains will literally be travelling through my constituents' backyards.

Minister, for over a year and a half I have been asking you to commit to an individual environmental assessment to ensure that my constituents' concerns are addressed. Are you willing to make that commitment today?

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** The member knows that there is a process for determining whether or not there should be a bump-up for an individual environmental assessment. Currently the environmental assessment branch is analysing the request and the evidence that might substantiate such a bump-up and will be advising me, at which time I will make a deci-

sion, and the member will be the first to know.

**Mr Harnick:** Minister, my constituents feel that they have not been properly consulted on this issue and that the proposed expansion will have a negative impact on their neighbourhood. The recommendations from the Environmental Assessment Advisory Committee were sent to you last March. I have heard unofficially that you have approved this project and that you will be making an announcement before this House rises in December. Minister, can you confirm that you have made this decision?

**Hon Mr Wildman:** Again, I can confirm that the member will be the first to know when the announcement is made publicly.

#### NORTHERN ECONOMY

**Mr Tony Martin (Sault Ste Marie):** My question today is for the Minister of Northern Development and Mines, a member of this Legislature with deep roots in northern Ontario, having spent a number of years working in the mines of our special part of the province, indeed having spent a number of years working in the mines and plants of northern Manitoba; also a member who understands the politics of northern Ontario, having served for a number of years as reeve of the wonderful community of Manitouwadge.

My question, Minister, is about the impact of the Conservative Party's Common Sense Revolution. Is it for real or is it just the first and most serious of a series of pranks designed for purely political purposes, to distract us from the serious work at hand? What impact would this proposed program have on we who live and work in northern Ontario?

**Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs):** I am delighted to have the opportunity to respond to a question in the House, where it's been over two years since the Minister of Northern Development and Mines has been the recipient of such an opportunity. The Tories and the Liberals haven't asked one single question in over two years. Do they care about the north? Have they forgotten about the north?

The Common Sense Revolution? There's really nothing commonsensical about the Common Sense Revolution. It's a nonsense revolution. The Tories promise to cut spending by 20% and yet not impact on health care. It simply means to the north that jobs by the thousand will be eliminated. Programs for municipalities, transfer payments and different boards of agencies will all be gone. That's what 20% cuts for the people of the north mean, nothing short of that. It will kill the initiative in the north.

**Mr Martin:** Very frightening indeed. I'd like to be a little bit more specific with you. If you look at the 20% cut and the budget of the Ministry of Northern Development and Mines and compute that to be \$50 million, could you tell me specifically what \$50 million will mean to your ministry and your ability to deliver programs of any consequence to the people of Sault Ste Marie, Manitouwadge, Atikokan and all the places that contribute so much to the economy of this province?

**Hon Mr Pouliot:** Simply put, it means \$30 million in the heritage fund. We're looking at 10,500 jobs gone,

cancelled. We're looking at \$14 million to renovate old schools. The Conservatives would have them collapsed.

We're looking at \$500,000 for wife assault. That's the human dimension. Those are real people in need of services. What is it that's being said here? "Go back to the closet and stop complaining. Your problems never existed," because you have no funding for those clients in dire need. "Cancel the aid to prospectors, to minor developers, people who are creating real wealth." It does not make sense, no common sense whatsoever. Let's do it progressively—

**The Speaker (Hon David Warner):** Could the minister conclude his response, please?

**Hon Mr Pouliot:** —let's put people first, let's inject some compassion where it's needed the most, in that special part of Ontario, namely, northern Ontario. Shame on you.

**The Speaker:** Would the minister please conclude his reply.

**Hon Mr Pouliot:** How can one party, when all is said and done, take—

**The Speaker:** The minister has answered the question. New question.

1440

#### MUNICIPAL GOVERNMENT

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Minister of Municipal Affairs and it has to do with the plans the province may have for dealing with some of the major issues facing Metropolitan Toronto, particularly in the areas where the province I think has a major role. The minister knows that Metro Toronto has lost about 200,000 jobs since 1989. We've lost about 15% of the jobs in Metro Toronto, as the minister knows. I think the tax base in Metro Toronto, as he knows, is eroding.

In the municipal election, clearly there was a signal, at least from the city of Toronto voters and I think from others, about their concern about the complexity of government in Metropolitan Toronto. The board of trade, as we all know, has indicated its concerns about the governance of Metropolitan Toronto.

I wonder if the minister might tell the House today what the province's plans are for resolving some of these issues with Metropolitan Toronto where the province has the key role to play.

**Hon Ed Philip (Minister of Municipal Affairs):** I think a number of people have a key role to play. The member is quite right. The referendum in the city of Toronto gave a clear indication that people had concerns about governance. It also had a clear indication that they were concerned about such questions as leadership at the municipal, local, lower-tier level.

What is fairly clear is that this is not a new problem, but it is an increasingly disconcerting problem. If we do not bring together the taxation questions, the governance questions and the economic development questions, a coordinated approach to this, we could well be, as American cities are, the centre of, the hole in the doughnut, with economic development taking place around, and



the inner city being in a very unfortunate position, the inner city being Metropolitan Toronto, or even worse perhaps, the city of Toronto. I can tell you that we take this seriously. We're working with Metro in its study. We're working with the GTA mayors, and I'm meeting with them on a regular basis.

**The Speaker (Hon David Warner):** Could the minister conclude his reply, please?

**Hon Mr Philip:** We are putting all of the pieces together. We are not going to allow Toronto or Metropolitan Toronto to be the same as US cities. But maybe the honourable member—

**The Speaker:** Could the minister please conclude his reply.

**Hon Mr Philip:** —would tell me what the position is of the Liberal Party on this issue, since we've called its research department and they tell us—

**The Speaker:** Could the minister please take his seat. The question has been answered. Supplementary.

**Mr Phillips:** If I heard the minister correctly, he was saying there is the need for the province to take action, that the problem was bad and getting worse and that there is a need for a coordinated approach. So I think the minister is saying the province needs to take action, but I gather the minister has no action he's planning to take.

I would say that it's quite clear that what is required is indeed a comprehensive study of the problem and a proposal on the solutions. You can call it a commission, you can call it a comprehensive review, but it is clear that the government should and must act very quickly to establish that body that will do that study very quickly—I think it is urgent—and to bring forward the recommendations.

Now, there's a specific recommendation to the minister. That's our recommendation. If you're going to do something different, tell the House today. If you have nothing else you want to do, you can't figure out what to do, then take that recommendation and act on it.

**Hon Mr Philip:** I take the member's recommendation seriously. Indeed it's a recommendation that has been given to me by such people as Bill Davis and other people who I think are concerned about Metropolitan—

**Mr Chris Stockwell (Etobicoke West):** Don't listen to him. See what happened to us.

**Hon Mr Philip:** Mr Stockwell says, "Don't listen to Bill Davis." I'd rather listen to Mr Davis, who was the leader of a Progressive Conservative Party, than to the reform party members who are on that side of the House today. I tell you, Bill Davis is so happy because we gave him a job, he looks 10 years younger, and he's going to do a great job for us.

With regard to the suggestion the member has made, certainly that will be one of the considerations that we will be taking into account. I will be meeting with the new chairman of Metro, whenever that person is appointed, or reappointed as the case may be, and we'll of course be meeting with the lower-tier mayors.

But I wonder if the member would clarify whether it in fact is true that the position of the Liberal Party, or one of the positions it was considering, was the abolition

of Metro. If they think that is a simple solution, maybe they'd tell us and come clean with it.

#### LONG-TERM-CARE REFORM

**Mr Jim Wilson (Simcoe West):** My question is for the Minister of Health, and it concerns Bill 173 and long-term care. Minister, with your government's closure motion, you've closed down, as of 6 o'clock today, committee debate on this very important piece of legislation, and we are left in committee with quite a mess with respect to the amendments that are on the table.

Minister, your last-minute labour adjustment section 15 amendments very clearly favour only unionized nurses and home care workers in the sector today. The ad hoc coalition concerned with Bill 173 has put forward new section 15 amendments to bring some fairness to the bill so that both non-unionized and unionized employees will be able to apply for jobs in the new multiservice agencies. Will you accept the new section 15 amendments today and bring some fairness back to the labour adjustment provisions of bill 173?

**Hon Ruth Grier (Minister of Health):** We made it clear from the introduction of Bill 173 that it was our intention to protect those people currently employed in the system. If they have a collective agreement, then that is protected; if they don't have a collective agreement, then they have a job offer of a comparable job. That's what our amendments manage to do, and that's what will be part of the bill when the committee votes on it.

1450

**Mr Jim Wilson:** Minister, that is not what your amendments say. That may be what your briefing notes say, but that is not what the legal text that is on the table downstairs right now says. It very clearly gives jobs to unionized workers and says, "The rest of you are out of luck."

Minister, because thousands of nurses and home care workers who currently work for VON and Red Cross and Saint Elizabeth visiting nurses will lose their jobs under your MSA program, will you today commit to paying the severance costs for those thousands of workers who are non-unionized who will clearly lose their jobs in this sector? You've left an awful mess down there with respect to amendments, and right now you're stinging the VON and the Red Cross and Saint Elizabeth and dozens of other provider agencies—

**The Speaker (Hon David Warner):** Would the member complete his question, please.

**Mr Jim Wilson:** —with the severance costs, once you steal their employees.

**Hon Mrs Grier:** We have laws in this province that protect workers. We have always had laws in this province and our government is very proud of the way in which those laws have been implemented for the protection of workers, organized and unorganized, within this province and within the workplace.

The district health councils, which are doing the planning for long-term care, were requested from the very beginning to prepare human resource plans so that the transition for people already employed in the system to new employers would be as smooth and as trouble-free

and as effective as possible.

In response to many of the submissions heard by the committee we have clarified what we have meant in our directions to DHCs, we have clarified how workers can be protected and we have ensured that for the people who matter, the seniors and the disabled, the transition to a new system will be as smooth and as seamless as possible. That's what matters to us.

#### APOLOGY

**Mr Gordon Mills (Durham East):** On a point of order, Mr Speaker: Earlier this afternoon, in my statement, I used a British colloquialism that might even suggest a violent act. I'm not a violent person and I wish to withdraw that.

**The Speaker (Hon David Warner):** I don't know precisely what the member was referring to, but it sounds like a good thing that he's doing.

#### QUESTION PERIOD

**Mr Robert V. Callahan (Brampton South):** On a point of order, Mr Speaker: I ask for your direction. This morning, attending the infrastructure program out in my riding, the Minister of Municipal Affairs related having observed William Davis in the House when he was Premier and how he could spin out the answer to a question over a considerable period of time in order to limit the number of questions that might be asked in the House. The Minister of Municipal Affairs indicated that he admired that and did his best in each answer to spin it out as long as possible in order to limit the number of questions that might be asked during question period in this House. I ask for your direction as to whether or not that contravenes the orders.

**The Speaker (Hon David Warner):** The member will know that each member who utilizes a considerable amount of time causes some frustration for the Chair and for other members, and I simply ask all members to try and keep their questions and replies as brief as possible.

#### CORRECTION

**Mr Jim Wilson (Simcoe West):** On a point of order, Mr Speaker: I would just like to correct my record from question period today. I used the figure \$180 million in reference to the new estimated costs of the NDP's photo health care plan. It should be three times \$90 million, which, as everyone knows, is \$270 million, if I could correct the record, Mr Speaker.

**The Speaker (Hon David Warner):** It's good to correct arithmetic.

#### INTRODUCTION OF BILLS

##### HIGHWAY TRAFFIC AMENDMENT ACT (FIREFIGHTERS), 1994

##### LOI DE 1994 MODIFIANT LE CODE DE LA ROUTE (POMPIERS)

Mr Arnott moved first reading of the following bill:

Bill 192, An Act to amend the Highway Traffic Act respecting Firefighters / Projet de loi 192, Loi modifiant de Code de la route en ce qui a trait aux pompiers.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Ted Arnott (Wellington):** The intent of this bill

is something I talked about in a statement earlier this afternoon, and that's to give legislative approval to allow volunteer firefighters to attach a green flashing light to their vehicles when they're going to an emergency. I think this bill is needed in rural Ontario. I think all members of the Legislature pretty well support this concept and I would urge all members to give it their support when it comes for second and third readings.

#### ASSESSMENT AMENDMENT ACT, 1994

##### LOI DE 1994 MODIFIANT LA LOI SUR L'ÉVALUATION FONCIÈRE

Mrs Caplan moved first reading of the following bill:

Bill 193, An Act to amend the Assessment Act / Projet de loi 193, Loi modifiant la Loi sur l'évaluation foncière.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

**Mrs Elinor Caplan (Orlino):** This is the bill that I said last Thursday I would be introducing unless the government introduced its legislation first. This is the last week that bills can be introduced. It's my hope that the government will introduce similar legislation by Thursday so that we can ensure that small mall retailers will be protected from the huge increases that they are facing.

##### COUNTY OF KENT LOCAL MUNICIPALITIES ACT, 1994

Mr Hayes moved first reading of the following bill:

Bill Pr159, An Act respecting the county of Kent and the Local Municipalities in it.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

##### BOARD OF PAROLE DECISIONS AND VICTIMS' INFORMATION ACT, 1994 LOI DE 1994 SUR LES DÉCISIONS DE LA COMMISSION DES LIBÉRATIONS CONDITIONNELLES ET SUR LES RENSEIGNEMENTS DESTINÉS AUX VICTIMES

Mr Murphy moved first reading of the following bill:

Bill 194, An Act to provide for Procedures in respect to Decisions of the Board of Parole and for Provision of Certain Information to Victims / Projet de loi 194, Loi établissant des procédures à l'égard des décisions de la Commission des libérations conditionnelles et prévoyant les renseignements que peuvent obtenir les victimes.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Tim Murphy (St George-St David):** Briefly, this bill sets out information that the board of parole must consider in making decisions on parole, the rights of a victim to be notified of a parole hearing, to make oral statements at parole hearings in certain cases and to be notified of the date of an inmate's release, and information concerning inmates available on request to victims and others, as well as other procedural matters.

##### HIGHWAY TRAFFIC AMENDMENT ACT, 1994

##### LOI DE 1994 MODIFIANT LE CODE DE LA ROUTE

Mrs Marland moved first reading of the following bill:

Bill 195, An act to amend the Highway Traffic Act / Projet de loi 195, Loi modifiant le Code de la route.



**The Acting Speaker (Mr Noble Villeneuve):** Is it the pleasure of the House that the motion carry? Carried.

**Mrs Margaret Marland (Mississauga South):** Today I have the pleasure of introducing my private member's bill entitled An Act to amend the Highway Traffic Act, 1994.

The purpose of this bill is to legislate several tough new measures aimed at reducing drunk driving. Chief among these measures is the permanent revocation of driving privileges for repeat drunk driving offenders. It is my hope that the threat of a lifetime ban on driving will be the deterrent drunk drivers need to change their behaviour.

My bill also provides that when a person is charged with impaired driving his or her licence would be suspended until the charge is heard in court or for 90 days after the laying of the charge, whichever occurs first.

1500

Upon a first conviction, the driver's licence would be suspended for one year. The suspended driver would be required to complete mandatory educational and rehabilitation programs prior to reacquiring his or her licence.

Some people predict that a lifetime ban on driving will result in more people driving without a licence. My bill has responded to this potential problem in two ways. First, my bill would enable police officers to impound the vehicles of people who drive while disqualified. If the driver is found to be guilty, the vehicle would become the property of the crown and would be sold by auction. Moneys raised by the auction would be paid into a new drinking and driving trust fund for programs to prevent drinking and driving. Secondly, my bill would make it an offence punishable by fine or imprisonment to knowingly lend a motor vehicle to a disqualified driver.

My decision to draft this bill resulted from the Attorney General's inaction on this issue and the sad fact that I have heard from too many people about the loved ones they have lost as the result of a drunk driver. Earlier this afternoon I outlined the shocking statistics. The fact that the incidence of drunk driving is on the rise is unacceptable and alarming.

**The Acting Speaker:** Could the honourable member please summarize?

**Mrs Marland:** I will just complete one paragraph, Mr Speaker. I hope that all the members of the Legislature who read this bill will recognize that drinking and driving is not a partisan issue; it is an issue of justice and human compassion. I urge the government to take action to ensure the passage of this legislation.

MINISTRY OF CORRECTIONAL SERVICES  
AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI  
SUR LE MINISTÈRE  
DES SERVICES CORRECTIONNELS

Mr Murphy moved first reading of the following bill:

Bill 196, An Act to Amend the Ministry of Correctional Services Act / Projet de loi 196, Loi modifiant la Loi sur le ministère des Services correctionnels.

**The Acting Speaker (Mr Noble Villeneuve):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Tim Murphy (St George-St David):** Briefly, the proposed amendment authorizes the chair of the Ontario Board of Parole to recommend to the Minister of Correctional Services that an inquiry be conducted by a judge of the Ontario Court (General Division) to determine whether a board member should be subject to disciplinary measures. It increases the accountability in the system and ensures that a decision like that made with reference to Clinton Suzack be accountable to people within the judicial system and not to political figures.

LUNG ASSOCIATION,  
OTTAWA-CARLETON REGION ACT, 1994

Mr McGuinty moved first reading of the following bill:

Bill Pr137, An Act respecting the Lung Association, Ottawa-Carleton Region.

**The Acting Speaker (Mr Noble Villeneuve):** Is it the pleasure of the House that the motion carry? Carried.

ORDERS OF THE DAY

BUSINESS REGULATION REFORM ACT, 1994

LOI DE 1994 PORTANT RÉFORME  
DE LA RÉGLEMENTATION DES ENTREPRISES

Resuming the adjourned debate on the motion for second reading of, Bill 187, An Act to reform the Law regulating Businesses / Projet de loi 187, Loi portant réforme du droit réglementant les entreprises.

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** I believe, Mr Speaker, that at the end of the debate on this bill some days ago, the last speaker was a member of the Conservative Party.

Usually, the rotation would have come to this side, but you'll also recall that the critic for the third party, the member for Parry Sound, had stood down his opening remarks. I believe he will pick up his opening remarks at this point and then the rotation should proceed as normal from there.

**The Acting Speaker (Mr Noble Villeneuve):** According to the government House leader, do we have agreement? Agreed.

**Mr Ernie L. Eves (Parry Sound):** I'm sure the government will be happy to know, as will other members of the Legislature, that I don't intend on taking my full 90 minutes this afternoon; in fact, far less.

*Applause.*

**Mr Eves:** I see that's already meeting with an overwhelming chorus of enthusiasm on the government benches.

I would like to get a few comments on the record with respect to regulatory reform and this bill, Bill 187, the bill being introduced by the Minister of Consumer and Commercial Relations as a part of the Clearing the Path initiative which was launched by the government to respond to small business concerns about red tape and the high cost of compliance with government regulations.

After more than a year of study, including several interministerial working groups, the government I think has achieved three things, but only three things:

Firstly, computer business registration workstations will allow entrepreneurs to electronically complete four of the

most commonly required forms for an unincorporated business startup.

Secondly, this unified reporting will make it possible for businesses to receive consolidated monthly statements and remit taxes in a single payment. The objective set forth by the government is to combine retail sales tax and employers' health tax in 1995, and it professes or proposes to add Ontario corporate tax at a later date.

The third thing is that new business registrants will be given a single federal business number. That is another initiative the government is proposing through Bill 187.

Having completed these three, albeit necessary but I would submit somewhat less than revolutionary, changes, no doubt the government will then go out on the election trail in the next provincial election next year and claim that it has responded to the concerns of the business community. I think nothing could be further from the truth.

The government will undoubtedly try to make the electorate believe that it has made significant progress towards reducing the barriers to business growth in this province. However, I would submit that Bill 187 is really about an elaborate PR campaign by the government, since the Ministry of Consumer and Commercial Relations is only dealing with four out of 43,164 registered forms currently required by the government of Ontario. I think the public should be aware of that and I'm sure the business community is aware of that fact. We are dealing with only four out of 43,164 forms. That leaves another 43,160 to be dealt with. This is a small step indeed to regulatory reform in the province of Ontario.

In May 1992, the government's final report from its interministerial committee on plain language reported that over 50% of Ontario government communication is done through forms. This followed the February 1992 publication *Improving Service Quality in the Ontario Government*, which reported that some of the barriers to service quality improvement included lack of clear language in documents and forms, poor form design and, most importantly, in block letters, too many forms.

The committee reported that the number of registered forms in the Ontario government is 43,164, as I mentioned earlier, and that it costs \$21 million a year to print all these forms. This figure does not include another estimated 42,000 unregistered forms floating around in the bureaucracy of government. So what we have here is in excess of some 85,000 forms annually required in one form or another, using a pun on words, by the province of Ontario, and Bill 187 purports to deal with four out of 85,000, a small, small, small step indeed, if it could be described as a step at all.

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An outside consultant, the Gartner Group, estimated that the cost of processing these 43,164 legitimate forms by the government is an estimated \$1.47 billion—not \$1.47 million—a year. If you add the other forms, the unregistered forms, which number about 42,000, we have a figure in the neighbourhood of \$3 billion a year that the government spends processing forms itself. This is just the cost to the province of Ontario: \$3 billion a year. This doesn't even begin to recognize, doesn't talk about

the expense to business and single entrepreneurs out there of filling out the forms themselves.

As a result of this study, the committee observed that if the government improved 5% on the legitimate forms' processing costs of \$1.47 billion, the province of Ontario would save \$73 million a year. That's just improving 5%. Their savings would be \$73 million a year, a very significant figure indeed.

In response to these reports, this government is making, I would submit, a less than dramatic advance or move on four of the forms out of 43,164, if you want to take just legitimate forms that are required, and four out of in excess of 85,000 if you want to include interbureaucracy forms floating around in individual ministries.

However, even though the government claims to be cutting red tape, we discovered that the government will only be streamlining compliance. There will not be a reduction in the regulatory burden. They're just going to streamline four forms as to how you comply with the regulatory burden. They're not really going to the crux of the problem or the root of the problem.

The whole area of government regulation, paper burden and red tape needs to be examined carefully to ensure that unnecessary duplication or requests for information are eliminated. Regulatory reform is needed to reduce the impact and cost of unnecessary requirements of government.

The province of Ontario alone passes in the neighbourhood of 750 to 1,000 new regulations every single year. Just think about that for a minute: 750 to 1,000 every year. The cumulative effect of this is mind-boggling. How the average Ontarian or average businessperson is expected to keep track of these is almost impossible. It's not as if every person in the province of Ontario reads the Ontario Gazette every day like they read the Toronto Star or their weekly newspaper.

It is estimated that employers in this province have to devote the equivalent of one month's work every year to completing forms and complying with government regulation. One month out of 12 is devoted to nothing but red tape requirements of government. I find that figure rather appalling, but the government doesn't seem to be too concerned about it, if Bill 187 is any indication. This is what we get after well over a year of consultation and some two years to think about it.

As a result of the consultation with small businesses and entrepreneurs, our party has had task forces on creating jobs through small business. We know the regulatory burden is indeed a matter of genuine and growing concern throughout the province of Ontario.

Our document *The Common Sense Revolution* recommends the appointment of an arm's-length commission to review all current regulations affecting businesses in the province of Ontario. Any regulation that could not be justified would be eliminated within 12 months of a Harris government taking office. The commission would have as part of its mandate the responsibility to review all existing regulatory initiatives for their impact on private sector job creation.

Newfoundland Premier Clyde Wells has committed



himself to a complete and full review of all regulations that impact on business by introducing a sunset provision which comes into effect in April 1995. Regulations in that province are currently being examined by bureaucrats and an arm's-length committee, as we suggest, under the auspices of the Economic Recovery Commission to ensure that only appropriate regulations will survive that sunset date of April 1995.

Surely, if this government were as committed as is Mr Wells in the province of Newfoundland to reducing the regulatory burden and reforming the system, it would be introducing some similar legislation after having in excess of four years to look at the problem. Currently the province has no formal policy whatsoever towards governing the development of regulation. There is no formal planning process that would warn the government and the public that a new regulation may be introduced and no mandatory requirement for public consultation or notification unless it is explicitly provided for under the act authorizing the regulation itself.

The Legislature, as I'm sure many members will know, has no direct input at all into developing regulation. The government does not evaluate regulations that are in place and the economic impact of regulations are not done prior to their implementation. Having been the past chair of the standing committee on regulations and private bills of the Ontario Legislature, I can certainly assure you that this is the case. That committee merely looks at regulations after they've been passed to see if any of them might be ultra vires of the government's authority to pass such regulations.

I'm sure that the minister will know that, partaking in the cabinet committee on regulation herself, there really is no great public consultation process. I have served on that committee in cabinet as well, and the process that we go through is quite antiquated indeed. There is not a great deal, if any in some cases, of public consultation and feedback as to what the government of the day is purporting by way of regulation.

Personally speaking, I find government by regulation to be somewhat undemocratic and autocratic, to say the least. I think that, where possible, things that are done should be done aboveboard and in this chamber. That's what we have a parliamentary system of government for.

Even the NDP government of Saskatchewan has introduced a code of conduct, called the Regulatory Code of Conduct, to ensure that businesses and citizens have better access, understanding and input into the regulatory process. That code requires, before implementation of regulatory measures, that departments, agencies and the crown will examine non-regulatory alternatives and identify the potential costs and benefits to businesses and individuals resulting from proposed regulations.

The code goes on to outline characteristics for the regulatory process. For example:

(1) advance information and notice of proposed regulatory initiatives and amendments, where not part of the budget process, to the sectors most affected by them;

(2) opportunity for affected sectors to provide input into statutes and regulations;

(3) regular review of statutes and regulations and their objectives to ensure continued relevancy;

(4) efforts to minimize regulatory conflicts and differences both within the Saskatchewan government and among other government jurisdictions in the province of Saskatchewan;

(5) drafting by professional draftspersons who are subject to clearly identified and uniform drafting styles and standards.

As happens here, as I'm sure most members are hopefully aware, the bureaucrats in the legal departments of various ministries are responsible for drafting their own legislation and regulations. There is no uniform system of doing it.

(6) A detailed review of proposed legislation and regulations by elected officials; and

(7) regulatory requirements communicated in an understandable language—more user-friendly, in other words—a suggestion that the government's own inter-ministerial committee has recommended to it but which to date it has so far chosen not to pursue.

#### 1520

In the United States, the Paperwork Reduction Act gives every citizen the opportunity to comment on any form of government that they have to fill out. The address for comments is clearly identified on the form. The user of the form is therefore given the ability to comment directly on its use or its relevancy.

Again, given what other jurisdictions have introduced, it is surprising that the government of Ontario seems content to deal with four out of 43,164 forms. Successive governments throughout Canada have continually added to the regulatory burden for decades. As a result, we now need a fundamental review of government regulations, not just mere tinkering around the edges, I would suggest to you.

Regulation is important to Ontario's competitiveness and a critical factor in the decision of many businesses to invest or not to invest in this province. Legislative and regulatory initiatives have imposed significant administrative and financial costs on employers. Although individual legislation may have merit, the cumulative effect of our onerous legislative environment has made Ontario a less and less attractive jurisdiction for investment.

Ontario has the highest minimum wage in North America. Bill 40 introduced the most comprehensive labour laws in North America, a fact of which this government is abundantly proud. At the time of Bill 79's introduction, Ms Ziemba stated that the bill was the foremost employment equity law in all of North America and perhaps in all of the world. Yet the government has made no attempt to harmonize standards with the federal government or other governments of the ever-increasing costs to business in this province.

In Bill 162 the former Liberal government's WCB reforms added over \$1 billion to the unfunded liability in this province and resulted in even higher assessment rates. The current government is now compounding that problem by introducing Bill 165, which will add to the \$11 billion unfunded liability of the workers' compensa-

tion scheme in this province of Ontario.

On January 12 of this year the Financial Executives Institute Canada released a report comparing the financial position of workers' compensation boards across Canada. Here in Ontario our board is responsible for 70.25% of the accumulated \$11.8 billion of the national WCB debt, just in excess of 70% when Ontario workers only make up 39% of the nation's workforce.

Those figures don't compute. How can we be responsible for 70% of the entire accumulated unfunded liability in Canada through workers' compensation boards when we only have 39% of the workforce? It's almost twice as much as we should be responsible and liable for in this province.

The report goes on to conclude:

"It is clear that the rising cost of workers' compensation cannot continue simply to be passed on to employers through ever higher assessment rates. Corporate competitiveness is crucial to maintaining our Canadian standard of living and this is one program in urgent need of repair. There is a danger of affecting both current and future jobs."

This is what that independent body and report found, yet we don't seem to be doing anything about that. We're going to address a problem of four forms out of 43,164.

The report goes on to recommend that in those provinces where the Workers' Compensation Board is fiscally weak—and it names them: Ontario, Quebec, Nova Scotia and Alberta—it urges those provinces to follow the leadership shown by the provinces of Manitoba, New Brunswick and Newfoundland. "The latter provinces enacted legislation that reduced costs significantly but still maintained an effective safety net for injured workers." Ontario has not seen fit to act on this recommendation either.

When the previous Liberal government was in power, it passed Bill 208. It amended the Occupational Health and Safety Act to require health and safety committees in all workplaces. The small business advisory committee to the Workplace Health and Safety Agency has found certification training requirements outrageously expensive and totally unrelated to small business workplaces across the province.

Then we have the issue of the \$50 corporate filing fee. We have debated this issue in this Legislature on numerous occasions. Our party's dissenting opinion to the report on the underground economy recommended that the government eliminate the corporate filing fee, as compliance costs would appear to be far greater than the fees themselves.

This government has added continually to the cost of doing business in the province of Ontario. I see Bill 187, Clearing the Path legislation, as nothing more than a very simple PR exercise by the current government to try to convince businesses in Ontario that it has responded to their concerns.

Businesses in the province of Ontario are buried under a mountain of regulatory reform, although there's nothing detrimental to say about Bill 187 per se, except that it doesn't say very much and doesn't even begin to deal

with the problem. This bill purporting to deal with the problem of regulatory reform and burden in the province of Ontario is equivalent to giving businesses a Q-Tip to dig themselves out from the bottom of this avalanche.

**The Acting Speaker:** Questions or comments? Further debate? Does the minister want a question or comment?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** No, Mr Speaker.

**The Acting Speaker:** Further debate?

*Interjection.*

**The Acting Speaker:** This is now further debate. The honourable member for Norfolk.

**Mr Norm Jamison (Norfolk):** Do you want to carry on with debate or are you asking for questions right now?

**The Acting Speaker:** I did ask for questions or comments. No one rose. However, I now see the member for Downsview. Is it the pleasure of the House that we revert back to questions or comments on the member for Parry Sound's participation? Agreed.

**Mr Anthony Perruzza (Downsview):** I simply want to take a minute or two to speak to some of the issues raised by the member opposite. I just want to say I couldn't agree more with many, many of the things that he has talked about in terms of the paper burden and some of the regulations that we apply and in fact require business, and small business in particular, to have to deal with in order to carry on their affairs.

It's very important and incumbent on us to change a lot of that and to introduce reforms that would reduce a lot of the paper burden and a lot of the regulations that we apply to businesses. I think that can be done quite easily.

One of the processes which the government has undertaken and has initiated in order to do that is the whole process of what's being called on the government side, and many of the opposition members will know the name of it, the Clearing the Path initiatives, where you come to house a lot of the applications and a lot of the forms that small business has to fill out sort of in one area.

Now, as you will know, Mr Speaker, particularly in that area, if someone wants to start up an enterprise, they have to go to a whole bunch of places and fill out forms and so on. That I think goes a long way to helping many of our small business people in eliminating some of the paperwork and some of the red tape they're required to go through. So I'd make that as an alternative and supplementary suggestion to the member's arguments.

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**The Acting Speaker:** Further questions or comments? The honourable member for Wellington.

**Mr Ted Arnott (Wellington):** Nothing further.

**The Acting Speaker:** You don't have questions or comments. Any further questions or comments?

**Mr Noel Duignan (Halton North):** I appreciate the words from the member for Parry Sound but, as he well knows, what this particular bill will do is set a whole chain of events into place so we'll be able to offer some long-term service expansion in this whole area. He is



quite correct: to most taxpayers, entrepreneurs, and small businesses in this country, all levels of government are the same, no matter what it is—provincial, municipal, regional or federal.

What this bill will do is allow, in the long run, the amalgamation of all the registration, be it municipal, federal or provincial and it will allow us to create a single, one-stop shopping and master licensing system for businesses in this province. Negotiations are already under way with the federal government to adopt the single business registration number, and hopefully that will begin to deal with that process.

What this bill does is give the government departments the authority to go ahead and move in that particular direction and deal with some of the questions around freedom of information and protection of privacy as well, which is posing a problem. This bill begins that process and hopefully, within a couple of years, we will have single-window shopping for businesses in this province. So when a business walks into a small business office, it will be able to complete all the necessary forms and licensing systems for its business.

I've taken a look at what's happened out in Washington state, for example, where they have over 700 licences for business in that particular state. They have it all down into one master licensing system. Hopefully, that's what this bill will ultimately be able to do.

**Ms Margaret H. Harrington (Niagara Falls):** I'd like to briefly relate a little bit of history behind this bill. At least three years ago, a committee of parliamentary assistants was set up to look at how we could help small business and we did meet with various groups such as the chambers of commerce and the small business federation. It was a difficult task, let me tell you. First of all, I told my government colleagues that I wanted to be on this committee because I represented the city of Niagara Falls and, I would say, compared with many other cities, we have more small business than probably anywhere else.

The difficulty was with getting several different ministries together, the bureaucracies, to work together and realize that, in order to help small business, they had to simplify and they had to work together. This took quite a while, to make sure they understood what they had to do and to make them go back and do it. I'd like to give some credit to my colleague Norm Jamison from Norfolk, because he was the one who chaired that committee and he was the one who insisted that it continue and that it be done, and finally we have it here before us.

I would like to say that small business is going to be very important in the next few years to getting more jobs in this province; not the large companies, but the small companies. My husband just opened a small business over the last year and it is now expanding so I know what he has gone through to get to this position and I would encourage others to look at small business in this province.

**The Acting Speaker:** We can accommodate one final participant. Seeing none, the member for Parry Sound has two minutes in response.

**Mr Eves:** I appreciate the comments made by the members for Downsview, Halton North and Niagara Falls. I commend them on their basic thought. However, I still would like to point out that the government has been in place for well in excess of four years now. It's had its own interministerial report since 1992. It's had some time to respond to its own report.

I would have hoped that after that period of time—I'm not belittling, believe me, the efforts of the members who have just spoken, but I would like to think that, having had this period of time in which to contemplate and deal with this problem, they would have come up with a more all-encompassing—some call it a step; I would call it an inching forward along a road that's perhaps as wide as the province of Ontario itself.

I think there could have been more dramatic solutions and more reform solutions such as the ones that Premier Wells in the province of Newfoundland has implemented. Provide sunset legislation. I understand the problems that the member for Niagara Falls relates to with respect to different ministries and getting it through to them but, believe me, if you passed a sunset law that said, "One year from now all your regulations will cease to exist unless you can justify them to me," that would certainly get their attention and they would certainly be able to respond. I think if you make them justify their own existence and why they're there, surely that would be one small step down the path towards regulatory reform in the province.

**Mr Jamison:** It's a pleasure to stand in the House and speak to Bill 187, a bill that I believe is very important in an area of major concern to most business people in this province—and in any other jurisdiction, for that matter—and that is the ability to allow businesses to do business with their governments, at whatever level, in a more efficient way, therefore allowing businesses to do business.

As members of the House will recall, my honourable colleague the Minister of Consumer and Commercial Relations introduced this bill for first reading on November 3 of this year. I am delighted to say that this bill reflects the government's commitments to cutting red tape for business in Ontario. The bill also acknowledges the vital role played by small business in the revitalization of this province's economy.

Many members have stood in this House and extolled the virtues of small business and its job creation efforts over the last number of years, and certainly I will echo those by saying that what has been said about the numbers of jobs created in the small business community is true.

You know, business confidence is coming back. Investment is up and businesses are making investments in capital spending. In fact, some economists are now predicting that Ontario will be one of the leading industrialized sectors in economic growth in the next few years. We might say, "What does that have directly to do with the bill?" This bill ensures that those businesses will be doing business with their governments in a more efficient, streamlined fashion.

This is not a tiny step. This is a large leap forward. Let

me explain that we're not talking about streamlining and combining four forms; we're talking about a piece of legislation that we can call umbrella legislation that will allow for much, much more streamlining than that to take place.

Small business is a big reason behind the recent upswing in this province's economy, business that helps spur the economy and business that creates jobs. However, as regulations and standards have changed and increased, businesses have found themselves forced to spend more and more time filling out forms, responding to inquiries from various levels of government and so on.

Paperwork: Small business people will tell you, time and time again, beyond taxes it's paperwork. I listened to the last speaker on this issue. There we have a representative of a government that was here in power in this very place for some 42 years that kept adding and adding and adding to that paperwork burden. This government is committed to reduce that paperwork burden. We're doing so by the initiation, by the implementation, by the introduction of Bill 187 here in this House, as introduced November 3.

We talk about the regulations. Those regulations have changed and increased somewhat over the years. Businesses have found themselves forced to spend more and more time filling out those forms and responding to inquiries from various levels of government. I can tell you that giving a unified number to businesses, a unified number that potentially will work right across the scale, right across the scope of governments at every level, is a large step forward.

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The Business Regulation Reform Act is designed specifically to streamline and simplify the business registration reporting process, thereby lessening the paper burden. The act will overcome hurdles in specific program legislation, and that's why I call that an umbrella piece of legislation. It will provide the way and the means to lessen the number of forms—forms that may be mentioned specifically in other pieces of legislation and forms that, up until this time, governments have refused to recognize as not needed in some cases. They've always been there, regardless.

We are also going to introduce and pave the way for electronic registration, using the technology that we have at our fingertips today to enhance the ability of doing business with business in this province. I can tell you it will also provide the authority for registration and reporting, all of those services, and the expansion of the ability of that system to be used to reduce the red tape in this province. The regulatory burden placed on small business in Ontario has grown over a long period of time. Opposition parties, while they were in power, took no initiative to reduce that burden—no initiative.

**Mr Chris Stockwell (Etobicoke West):** None.

**Mr Jamison:** None. We have. Today, we're talking about a bill that will mean a significant amount to the small business community in its ability to be doing business rather than be doing paperwork. We're dealing with this problem head on. It's not a roundabout

approach. We're talking clearly about the reduction of the paper burden that small businesses have felt in this province.

This government has shown initiative by introducing this legislation to streamline the number of processes involved in starting up a small business. Our government takes its regulatory responsibilities very seriously. This bill will ensure regulations necessary to maintain a fair, safe and informed marketplace that supports a competitive economy and that it will be administered in the most efficient and the most effective manner and cause the least amount of work for businesses.

One might say, "Well, why the legislation?" We were able to introduce these initial improvements without legislation because they are an overlay on the existing process. I want to make that clear: They are an overlay on the existing process. However, we cannot reach an optimum level of service to our business clients without clear legislative authority to do a number of things, and this legislation will do that. This legislation will provide clear authority for such things as combined registration forms, overcome roadblocks to consolidate requirements in individual program areas and provide authority for anticipated service expansion, such as links with the federal government. The single registration number is very important in that light.

When we look at this particular issue, it's a long-standing issue. It's not an issue that just came about over the last few years. I agree with many of the members who have spoken in this house: Governments have traditionally layered the red tape upon the business community. Let's understand that this is not a small step forward. This is a piece of legislation that will allow us to go a long, long way in reducing that red tape.

Can you imagine creating a single-window, one-step service that will integrate registration and reporting requirements for all three levels of government—municipal, provincial and federal? That will be a first. Just imagine being able to walk into one government office where a businessperson can electronically complete all the forms required by the municipal, provincial and federal regulations. Just think about the advantages of being able to remit business taxes with a single payment. These are not insignificant steps; this is leaping forward. I'll tell you, that's the way it should be described.

The government is committed to providing equal access to services across Ontario. That means businesses throughout the province will have access to the level of service that up until now has been available only for those living in or around the Toronto area.

We're also committed to reducing the regulatory overlap and the duplication that currently exists among Ontario, Canada and other jurisdictions, thereby providing taxpayers with more cost-efficient and effective government. Informing the governments only once about any change in information, instead of going to many different ministries to advise them of the same change, is a significant step forward. I believe that to be true; other members don't.

While we're talking about client feedback, we had a parliamentary assistants' committee working diligently,



looking at what we could do in and around this issue. I personally would like to express my thanks to those people who really sacrificed of their time and put forward such a commitment to seeing this through, and today it's in bill form.

I found it humorous listening to some of the previous speakers. One speaker would get up and say, "You know, this bill is only eight pages long." Then the same speaker would get up and talk about reducing the amount of regulation in government. I found myself almost lost for words at that point, but I was able to respond somewhat on that occasion.

The issue is that what we're introducing here is an umbrella piece of legislation, one that allows us to deal with and cut through the hordes of legislation that's out there, that reflects directly on small business, and it allows us to do it very directly and very clearly.

*Interjections.*

**Mr David Turnbull (York Mills):** On a point of order, Mr Speaker: The Minister of Northern Development and Mines has just addressed us as "neo-Fascists." I would request that he withdraw that immediately.

**The Acting Speaker:** Would the honourable minister please—

**Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs):** With sincere apologies I will withdraw both "neo" and "Fascist," Mr Speaker.

**The Acting Speaker:** Thank you.

**Mr Jamison:** Mr Speaker, it's been said in this House that this bill combines only four forms. We can combine those four forms without legislation. This legislation is enabling legislation that will allow us to go forward and combine and streamline the many hundreds of forms that are out there now relating to small business.

*Interjections.*

**The Acting Speaker:** Order. The member for Norfolk has the floor very legitimately.

**Mr Jamison:** It will also provide a single system to file information under designated acts. This bill will provide a single system for handling applications, registrations, renewals, cancellations and all other changes under the designated acts. It will provide a single financial and statistical reporting system for businesses.

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Clearing the Path will standardize dates and combine processes for filing information and making payments. Clearing the Path will provide the streamlined forms to replace the multitude of forms under designated acts—not four forms; the multitude of forms.

Bill 187 will allow us, again, to adopt a single business identification system to assist businesses to deal with many government programs. As we often do in this House, we hear the rhetoric, and of course this is an adversarial place, or can be from time to time, but I can tell you that we had an advisory committee that worked very hard along the way on this issue. That advisory committee clearly represented the business community, and they are extremely interested in seeing this bill go

forward. This is a bill that's important not only to the business community but to the whole economic fabric of this province in the future.

We're using, as I said earlier, the technology that we have available. If you're starting a small business in this province, for example, rather than having to go or send forms off to seven, eight, nine, 10 different ministries, you go to one location and you can do all your filing there. You can do the business name search at the same location.

**Mr Steven Offer (Mississauga North):** Really?

**Mr Jamison:** This is something that—again members across the floor are indicating, "Really?" I have to say, well, really, why didn't you do it? Really. We hear the rhetoric from across the floor. The question is, why didn't you do it?

It took an awful lot of work to put this together and it was one that we had to go forward and make sure that what we were doing was going to be done correctly. But when I hear the opposition parties over there shrugging their shoulders and saying, "Oh, really?"—well, really, why wasn't this done before? You were the governments that laid on top, page after page, the regulations and the paperwork in this province. You had an opportunity to move earlier, and my question would be very simple. Why wasn't this you doing this? Why?

The program itself, yes, there are short-term benefits and there are long-term benefits in this program. The legislation will provide specific, immediate solutions to small business concerns and issues, including combined business registration forms and electronic filing in a number of key areas. Completed registrations and workstations will take more or less just a one-stop-shopping aspect to this, and that in itself goes a long way to creating confidence in starting and maintaining a business in this province or, for that matter, anywhere else.

I can tell you that when we look at the client feedback, and I'm sure we all agree that small businesses are one of the foundations of this province's economy, now I can tell you what clients are saying. Now they will have to spend considerably less time and effort registering their enterprise here in Ontario. That means by us helping them to reduce the time they spend on paperwork, they can do what they do best: expand and create jobs and help Ontarians get back to work. I believe that no member in this House could disagree with that.

The obstacles out there facing our small business community are also ones that face our medium-size business community and our farm community and various communities. This legislation potentially has a positive effect in all of those communities. So when members opposite in this house would stand and basically indicate that this has little significance—I can tell you it's a travesty when that happens.

This bill is one that's very, very important to the small business community and I can tell you that I am very appreciative to the minister, who has been diligent in bringing this bill forward. I'm appreciative to the parliamentary assistants committee and to the advisory committee, which consisted of Judith Andrew from the Canadian

Federation of Independent Business; Emily Black, an entrepreneur, Blackwood Capital Inc; Fran Brown, the economic development officer of the town of Tillsonburg; Dave Cash, the executive director of the Kingston and Area Economic Development Commission; Dick Charboneau, general manager of the Thunder Bay Economic Development Corporation; Barry Clavir, the vice president of Motivational Strategies; Lynda Eng, Jim Harper, all business people; Michael Leckie and Janice Moyer.

The people who served on this committee and helped us greatly in moulding this legislation so that it will work for them and their communities are very interested in seeing quick passage of this bill, and I can say that I am also, but I'm also thankful to all of the people that helped me in the endeavour to get this legislation put forward.

Before I take my seat again in the House, I understand that the thrust from the opposition on this bill has been that it doesn't go far enough. I can tell you that their remarks as far as this bill only enabling four pieces of regulation to come together are inaccurate—highly, highly inaccurate as far as it pertains to this bill. This bill will allow the multitude of forms that businesses have to fill out and the red tape that businesses have to endure to be lessened dramatically, and I want to make that very clear here today.

With that, I would ask this House to support this very important bill that has concerns in and around the number one job creator in this province, that will reflect very well on them and their ability to do business in this province, and I would ask that the House support this bill unanimously because I believe strongly in this particular piece of legislation.

Having said that—

*Interjections.*

**Mr Jamison:** —and of course, we hear from across the floor: "Oh, oh, no, no." I would say, if that didn't happen it would send a very clear message to the business community about the kinds of politics that might be played in this House. I would say to you that this is a very, very important piece of legislation, one that will reflect very well on our business community and the economic growth that's taking place here in this province. I've had an interesting time listening to speakers in this house, but I have to say that this bill speaks for itself.

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**The Acting Speaker (Ms Margaret H. Harrington):** Thank you to the member for Norfolk. Now we have questions or comments to the member.

**Hon Ms Churley:** I would like to thank and congratulate the member for Norfolk. He, along with other members from our caucus, worked very hard on the parliamentary assistant's small business committee and first brought this whole matter to some of the ministers' attention. I thank them for doing so. Certainly I have to agree with the member that everybody in this House should support this bill.

I find that very often the opposition, and the member alluded to this a bit, seems to think it has a special knowledge and relationship with the business community that the NDP can't possibly have, can't possibly under-

stand, and I have to say that the arrogance associated with that is a bit misplaced at times. As the member said, this regulatory burden based on small business has been built up over years and years by that government, the Tories, and that government, the Liberals. It took this government to get into power, this government to say, "Something has to be done about this red tape," and we are dealing with that.

As the member for Norfolk said, this is not insignificant. I think perhaps members of the opposition are just a little bit jealous that they didn't think of this and didn't do anything about it after all these years and are a little bit perturbed that in fact this party did work very closely in a cooperative spirit with the business community—yes, with the business community—and came up with this plan.

It starts off with the 40-odd workstations that will be up and running by September, but by 1995 and going on into the future, the significance of this bill is absolutely incredible. I think that the members of the opposition in time will learn to appreciate that once they look at the bill more closely.

**Mr Stockwell:** I would compliment the member for Norfolk for his speech today because I think it was diligence and hard work that brought forward this piece of legislation. I think he has spent a significant amount of time in his own caucus trying to bring forward some kind of legislation that will be seen favourably by the business community.

I don't think the business community is going to look on this with any jaundiced eye. I think they're probably going to say: "Well, this is something that probably needs to be done. It doesn't go very far, but if you're going to amalgamate these four forms into one, that's a start, I suppose." They're probably going to say, "Maybe you're not going to implement this until after the next election because you can't get it up and going." The business community is maybe going to see this as possibly a bit of a sop that you're putting out there, because it doesn't honestly think that this government is speaking on its behalf.

I'll be happy to put the minister's concern at rest, where she says, "Why would the opposition benches"—at least this one—"think they understand the business community or can speak for them any better?" The business community believes that—I think you know it as well as I know it—they think that your government has not been business-friendly during most of their first four and a half years. I'll also tell you we're not jealous or the least bit concerned about this piece of legislation. We think the time has come to cut the red tape and the bureaucracy involved for small business.

I guess the problem I have with this, and I put it through in my earlier comments, is that you spent three years dealing with a piece of legislation that was going to cut the red tape at Queen's Park for small business and, as I said, we got a four-page piece of legislation, once the translation's removed, that amalgamates four forms out of 43,167. I don't think you're going to knock anybody over with that kind of information. They're going to say, "Well, ho, hum, four forms amalgamated." I'm certain,



and I will remind you, we're not jealous of you people, because I know you think you've got us right where you want us.

**Hon Mr Pouliot:** When one looks at what is being proposed here, with the highest of respect to both the immediate opposition and members of the third party, there has to be, simply put, a general acquiescence that it's better than it's been, that over the years, especially in the context with the focus on small business people, small entrepreneurs, we have built—and I say “we” at all levels: municipal, federal and provincial governments—through the years, a paper bureaucracy, an empire, a convolution serving the law profession, among others, with the highest of respect to the profession.

It's not very commonsensical to spend more time, more emotions addressing more aggravation by way of paperwork to satisfy all three levels of government, to do justice to a bureaucracy that represents a style of operation of yesteryear. It doesn't belong any more. You must give people accessibility. It's already being implemented. It's not as far as some people promised it to be, but it makes the system simpler. At least, with the highest of respect, give this the recognition; it's better than it's ever been, and it will get better still. It's a vote of confidence for entrepreneurship, for putting people back to work.

It has been recognized that Ontario is leading western jurisdiction in the recovery. Whether you like it or not, these are the facts. Read the financial papers and they will attest to this. It's not the best piece of legislation perhaps in your view, but it's as good as has been delivered after 42 years, plus five years, 47 years of consecutive opposition government.

**Mr James J. Bradley (St Catharines):** I would like to add to this debate the fact that perhaps there wasn't sufficient emphasis given to clearing the path, because if the path had been cleared, then the government would have time to consider a magnetic resonance imager for St Catharines.

I think that what's extremely important is that the government put that on its plate and the only way you can do that is if you clear the path in the first place. That is, if the government were able to get this legislation through, and I see no opposition to it of significance this afternoon—the opposition has tried to be helpful in some of the suggestions and is wondering why into the fifth year of the government they are now deciding they should be doing this—but our main concern in St Catharines now is that once you clear the path, you have an MRI machine allocated to our city.

I know, as a member for Niagara Falls, that we would be pleased, just as we're all pleased if you can clear the path for business, we'd be pleased to clear the path on the way from St Catharines to Niagara Falls so that people coming from Niagara Falls could use the magnetic resonance imager that I know the government will be giving consideration to for the city of St Catharines.

While there are now three CAT scanners in the Niagara Peninsula, and we're quite delighted to have the Niagara member saying this—I know the member for St Catharines-Brock is here, she would support an MRI machine—

**The Acting Speaker:** Were you responding to the member for Norfolk?

**Mr Bradley:** Which member was it? The member for Norfolk, I know, because he's not that far away, would know of the need for an MRI machine in St Catharines as well, because that would leave more—I think you would recognize this, Madam Speaker—space, more allocation in the MRI machine in Hamilton for those who are in Norfolk, and they need it as well. So I'm glad I was able to participate in this and I know the member wanted to mention this.

1610

**The Acting Speaker:** Now the member for Norfolk has two minutes to reply.

**Mr Jamison:** Again, in response, and I thank all the members for their responses, I believe that it shows in some light how much some are listening and some aren't. What I'd like to say about the comments, specifically the comments from the member for Etobicoke West, I thought I'd made it very clear that we could combine the four forms that he was talking about and have done that in the first stage of this without the legislation.

The legislation is an umbrella piece of legislation that allows us to further combine forms and registrations and reduce red tape. I can tell you that this is a very important issue. It was 42 years that the Progressive Conservatives were in power in this province.

**Hon Ms Churley:** The “progressive” Conservatives?

**Mr Jamison:** Or the Conservatives. I believe they still are Conservatives. I'm not sure.

And it was five years that the Liberals were in power, up until September 1990. I can tell you that this is the first move on paperwork and red tape as it pertains to business in this province. The only moves that were made prior to that were to increase the load of regulatory burden on businesses in this province. So I think it's important that I make that clear again, because obviously some members are listening more than others in this House on that particular issue and about the bill itself. I appreciate those comments regardless—

**The Acting Speaker:** The member's time has expired.

**Mr Jamison:** —because it certainly puts light on who's listening.

**The Acting Speaker:** Further debate?

**Mr Offer:** I've had the opportunity of listening to all of the debate, basically, that's taken place today on this particular bill, Bill 187, and it is a strange debate that the government enters into. It is strange for a number of reasons, because I think that there are some world records that actually are being set by government members. I do not believe that the phrases “the reduction of red tape,” “the reduction of regulatory burden,” “the burden of red tape,” “the burden of regulatory burden” are said so often in one particular speech in so many different ways, trying to send out some sort of message that this bill is something that I think, if you read it, it just isn't.

But the government members must have a little note that they get that says: “Say ‘reduce red tape’ as much as possible and your speech is okay. Don't refer to the bill

as often as possible and your speech will be wonderful as well," because the bill is nothing very much. The members in the government try to say that it is a massive leap into heretofore uncharted waters. It is a huge and giant burden removed from somebody's shoulders. We don't know who they are, but they are carrying all of the red tape that has always been created.

There is just something that rings a little hollow when you actually look at the bill, which has as its purpose the reduction of regulation. There's something strange about a bill that professes to have that as its purpose and the bill is but a regulation. There really isn't very much in legislative form in this bill. All it does is, it says that the government can create some form of new regulations devised to reduce existing regulations. The bill is four pages, eight with translation, and really just doesn't do very much for the small business community.

Now, members of the government will say—this is hard for me to say—"We are the friends of small business," and I apologize to all of small business in Ontario for having to say that, because for the last four and some-odd years, that isn't what the small business community has been saying to me.

*Interjections.*

**Mr Offer:** The members in the government are now hooting and hollering, but I can just tell you how members of my riding and the members of the small business community have viewed the actions of your government over the last four years and some-odd months. They're saying, "Over that period of time, you haven't been our friend. Over that period of time, when we've had an issue or a concern and took it to you, you didn't listen. Over that period of time, if you are our friends, then we need no enemies," because the small business community in no small way has been hurt by the actions of the government.

I would bet that the small business community would be absolutely, gloriously in support of a piece of legislation which removed the corporate filing tax. There is something that we heard where the government ripped out of the small business community's hands a tax that they never had to pay before. We remember what the government said at the outset. They said: "This is just a one-time requirement so that we can keep our records in order, so that we can update our records." We found out that after the first year went over, the second year was another grab against the small business community.

It's not me that's saying this. The small business community is absolutely opposed to the direction, to the type of policies and to your style that you have meted upon them in the last four years.

*Interjection.*

**Mr Offer:** Members of the government get so upset when they find out there is somebody who says, "There are a few people who disagree with what you've done in the last four years." I know you might find this quite difficult to believe, but I travel throughout my riding, and I know other members do, and there are a few people in and around the ridings who just are a little upset about some of the things the NDP government has done to

them in the last four years and a few months. They're a little upset with the type of policies you've rammed down their throats. They're a little upset about some of the things you've done in and around landfill sites.

*Interjections.*

**Mr Offer:** Oh, look, they're jumping up and down.

They are a little upset about the fact that you promised there wouldn't be any expansion of a landfill site, that there wouldn't be any new landfill site without a full environmental assessment hearing.

**Mr Turnbull:** On a point of order, Madam Speaker: I think the points that my colleague is raising are rather important and I think we should have a quorum here to hear them.

**The Acting Speaker:** Would the clerk please determine if a quorum is present.

**Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries):** A quorum is not present, Madam Speaker.

*The acting Speaker ordered the bells rung.*

**Senior Clerk Assistant and Clerk of Journals:** Madam Speaker, a quorum is now present.

**The Acting Speaker:** The member for Mississauga North may continue his debate.

1620

**Mr Offer:** As I was saying, it is clear that there are a number of people around this province who are very upset with some of the policies, the decisions, the style of government that the NDP has foisted upon them in the last four years.

I was using one example, and this is extremely relevant to this particular piece of legislation because the government seems to feel that it is the friend of small business. But in my area we have what's referred to as the Britannia landfill site, and just to give you an example, the members of the government will remember that the Premier indicated that there would be no expansion of any existing landfill site without a hearing. You will also remember that the Premier, that you guys over there, expanded that site, and you expanded it without any hearing. You guys over there said—

**The Acting Speaker:** Through the Chair, please.

**Mr Offer:** —to the people of Mississauga North that this site was going to be expanded. So I use that as an example, and I know that there are some members over there who do not understand this train of thought, but it is an example as to how your particular style of government has been divisive, how your particular style of government has sought to not only divide people but to cause friction, how your particular style of government grinds people as opposed to trying to embrace them and send out a certain message of working together.

So we have this particular piece of legislation, and this piece of legislation is referred to by members of the government as—what do they refer to it as? It's not Bill 187, though I think that's the actual number; it's referred to as Clearing the Path for Business Success. The NDP government is now indicating that it is able to clear the path for business success.



*Interjections.*

**The Acting Speaker:** Order. Will the member for Scarborough Centre come to order.

**Mr Offer:** There are a number of people in the small business community who believe that if there is one group that is not able to comprehend how to clear the path for business success it happens to be the existing government, that in fact what they have done over numbers of years is create hurdles, is create burdens, is to distance themselves from the small business community. This bill, in its small, minuscule way, is not one that could be viewed as clearing the path for business success. In fact, there are those who think that an election will be laying the pavement that will be a path for business success.

*Interjections.*

**The Acting Speaker:** Order.

**Mr Offer:** Members of the government seem to get very upset when you use the word "election." I wonder why. I just wonder why. They will say anything when all you're doing is saying one word: "election." That's all I said, and the members seem—

*Interjections.*

**The Acting Speaker:** Order. Interjections are out of order. At the end of this member's debate there will be time for questions or comments directed to the member. I would ask the members to make their comments at the end of the speech.

**Mr Offer:** Madam Speaker, thank you very much. All I'm trying to do is chat a little bit about the particular piece of legislation and a little bit about how I view the legislation and a little bit about how I disagree with the government that it is a massive leap to help small business in this province. I just sent out a suggestion that there are people in this province who feel that the way in which you can really lay that path for business success—

**Hon Mr Pouliot:** Are you going to vote against it? How are you going to vote?

**Mr Stockwell:** Clear the path.

**Mr Offer:** —or clear the path is to just maybe call an election and let that small business community voice its opinion. Now, members of the government seem to be a bit upset when you use that terrible word "election."

*Interjection.*

**Mr Offer:** The Minister of Northern Development and Mines is just chomping at the bit, waiting to get up and chat a little bit about this particular piece of legislation, I'm sure. It will be up to him when his turn comes to take a little bit of time and tell us about how friendly you and your government—

**The Acting Speaker:** Please address the Chair.

**Mr Offer:** —have been to the small business community—Madam Speaker, I direct my comments to you—and how this bill is sort of just a continuation of the wonderful assistance you've given to small business. I know they were knocking down your door saying: "Please, give us that \$50 filing fee. Please listen to us." I know that you listened as you listen to everyone and you said, "Well, that's what we'll do then."

When they said, "But this is a cost of doing business; we are in the depths of a recession; we are the ones who create more jobs than any other sector; we need your assistance; the best assistance you can give us is lay off, don't tax us, let us do what we do best, create long-term, secure jobs," I know how that government over there, that Bob Rae NDP government, listened.

What they did was, they just whacked that \$50 on to every small business in this province at a time when they could least afford it and then they said: "Well, you know, the first year, don't worry about it because it's just a one-shot deal. We would never think of doing it a second year and we would never think of doing it a third year."

**Hon Mr Pouliot:** You embarrass your friends. They have all gone.

**Mr Offer:** Guess what the friends of small business did. You will know what the friends of small business did, they whacked them each and every year. Now what we've got is their piece of legislation, Clearing the Path for Business Success. We know that in all of our communities a very important aspect of job creation, a very important aspect of community growth is from the small business community.

*Interjection.*

**Mr Offer:** Madam Speaker, I saw you turned your head so you know that one of the ministers seems to have a great deal to interject. I think we can assume that the minister will use his turn when it comes around on rotation or, if the minister doesn't, we can then assume that his comments are particularly irrelevant. But we will see what happens when the opportunity arises.

**Hon David Christopherson (Solicitor General and Minister of Correctional Services):** Oh, stop.

**Mr Offer:** Now we've got the Solicitor General, who has graciously come into the Legislature to listen. Certainly we appreciate the Solicitor General coming into this—

**The Acting Speaker:** I would appreciate you addressing the bill.

**Mr Offer:** I am. I'm glad you've asked me, Madam Speaker, because I believe it is absolutely essential that members of the cabinet are in this Legislature listening to this debate so that they can take the message to the next cabinet meeting that maybe this particular piece of legislation just isn't the grand leap that it's made out to be.

As I was saying, and I don't want to gloss over this particular point because of the fact that in all of our communities, the small business component is crucial. The small business component is crucial in the creation of jobs; the small business component is crucial in maintaining existing jobs. In no small measure, the small business community really builds up the communities and the neighbourhoods that we represent.

We must do all that is necessary in order to make certain that they are able to carry out their purpose, their objective. We all benefit when small business prospers. There is no question about that. When small business prospers, we benefit. When small business builds and becomes medium size and large, then this province, if not country, prospers.

It is crucial that we recognize that the role of government is not to suffocate but to stimulate. That is important, and it is a message which I have heard throughout my area and which I trust we have all heard throughout the province, that many people have said that government has become in many ways a burden on business doing business.

1630

Let me say that businesses recognize that there is the need for regulation. They recognize that; what they can't understand is the burden, the overburden, the overregulation. They are not saying, "Throw away all regulation." They don't say that. They recognize that there is in certain areas, certain instances, the need. They view that as a responsibility and they can well work within it. What they can't do and what they can't understand is the overburdening of regulation upon them doing what is so important.

This particular piece of legislation—four pages or eight pages, depending upon how one reads it—just doesn't, I believe, do what the small business community has been asking. It creates some sort of power for the Lieutenant Governor to designate any acts for the purpose of the bill, it creates regulations, but there is nothing specific in this bill.

There will be those who say, "That's exactly the need for the bill. This bill has to be an empowering type of piece of legislation," but the fact of the matter is that this bill comes with no accompanying statement by any minister of the crown as to what regulations are going to be addressed. It comes with no statement as to where the first areas will be that will be addressed and how they will be addressed. This is a bucket with nothing in it. I think there are many people who wanted to say and see, "Where is the government going to go with this particular piece of legislation?"

We've heard some examples about their being able to reduce four regulations to one regulation, and they talk about that with this bill. That's just, in a word, ridiculous, because they did that without this particular piece of legislation passing. The fact of the matter is, we've heard nothing from the government about what it wants to do with this bill.

I know they'll probably want to do something like this, just hold it up as some sort of message to small business that notwithstanding everything that they've done over the last four years they are now their friend, but there's nothing that the government has done with this bill at all.

This bill is nothing more than another series of regulations, it's another series of saying, "We have now the power to do something." We say, "What's the something that you're going to do?" They say, "Wait and see." When are we going to wait and see? What's the operative date of this particular piece of legislation?

**Mr Stockwell:** May 25.

**Mr Offer:** May 25? September 1995, is it not? Now, there are some who would think that is a curious date that the government has chosen to say, "This is when we're going to announce the type of things that we're going to do under this particular piece of legislation."

You haven't announced anything yet. They talk about these four forms that are now one form, which they could have done without this bill. People are saying, "What are you going to do with this bill?" They say, "September 1995 is when we really want to get cracking with this bill."

There are those who are cynical. I don't profess to be one, but there are those who are cynical, who say that September 1995 is a strange date to have chosen.

**Hon Mr Christopherson:** You don't want September, do you?

**Hon Mr Pouliot:** You don't like September.

**Mr Offer:** I like September. Why hasn't there been a statement by any minister as to indeed what you are going to do with the bill? I wonder, what is the government going to do with the bill? They are going to, I would think, pass the bill. They are going to say, "We're going to do something with the bill in September 1995. But we're going to ask them, "So what exactly is this going to be?"

What exactly is this huge leap that this bill seems to signify to government members that is going to be in action? Are we reducing 1,000 regulations to one? Is that what is in here? Is that the huge leap? Are we reducing 500 regulations to one? Are we reducing anything to anything, or are we passing a bill to say we've passed the bill? I just think that there are some people who might think—

**Mr Stockwell:** On a point of order, Madam Speaker: I'm sorry, the member for Mississauga, but 20 is a quorum and I think there are about 10 here. I think we should have a quorum.

**The Acting Speaker:** Would the clerk please determine if a quorum is now present.

**Senior Clerk Assistant and Clerk of Journals:** Speaker, a quorum is not present.

*The acting Speaker ordered the bells rung.*

**Senior Clerk Assistant and Clerk of Journals:** Speaker, a quorum is now present.

**The Acting Speaker:** We will resume the debate from the member for Mississauga North.

**Mr Offer:** As I was saying, I am somewhat concerned that the government, though professing that this bill represents a huge leap into the chasm of regulations and that it is mowing them down right along this field, that it's just going to mow those regulations down with this particular bill, that it is the undoing of burdens on small business that the government—

**Hon Mr Christopherson:** You got it.

**Mr Offer:** Maybe the Solicitor General, who says that is correct, would be so kind as to share with us in this Legislature all of the regulations that are going to fall by the wayside because of this bill; or maybe, if that doesn't happen to be at hand, you might just want to share with the small business community through this debate all of the burdens—you guys seem to use that word all the time—that are going to be lifted upon its passage.

You can't use that registration of four regulations to one. That doesn't count. That's not fair, because that's



now in place and it doesn't need this bill. So that one's off, and I'm sure small business is appreciative of that small movement that you've made, but it didn't need this bill to do it.

This bill is nothing less than four pages or eight pages of regulatory requirements and it sort of just creates some more regulations. I guess the question that small business will have is, "Where are we in the bill?"

I think that's sort of an important question. A lot of people hear from a government that "this particular piece of legislation is for you," or somebody else, and that group then picks up the piece of legislation and says: "Well, the government said this is for me. This is devised for me. This has as its purpose me. So now I'm going to read the legislation and find out where I am."

There's nobody in here. No one can see where small business is going to be assisted. We don't see any statement by the government as to what regulations are going to be lifted, what burdens are going to be lessened. All we do is, we hear a few speeches by government members that this is a big step. Well, it isn't a big step. If at all a step, it would be a very, very, very small step.

1640

This bill, by the way, will not undo what the government has done to business over the past four years. This bill will not undo the bad, harsh feeling that the government has created with the job creators in this province. This bill will not bring back the confidence of the small business community with you as government.

This is not going to meet that purpose, and I would hope this bill would not have been created for that purpose. Four years to come up with this is very suspicious indeed. An implementation date of September 1995—and I stand corrected if that not be the correct date, but my understanding is it is around September 1995—is very suspicious.

I would think the government had an obligation to the small business community. In fact, the government had an obligation to the business community as a whole throughout their term, their mandate. They should have sent out a message, clear and strong, that, "We understand, we recognize the difficulties of the particular economy, we recognize the impact of the recession, and we want to talk to you, to listen to your concerns and to deal with them."

That government over there did not do that. For them to introduce a bill on November 3, 1994, Bill 187, the bill I speak about, a bill which has government hopes to have an implementation of September 1995, a bill which carries with it no statement by a minister as to what regulations indeed are going to be affected, is, I believe, a tremendous disservice by that government to the business community as a whole, and to the small business community in particular.

We will await what government statements will go with this bill as to regulation. It is a small step forward, but don't try to send out any message that it is anything other than that. Do not try to say to the business community, who know what they speak of, that it is anything more than small. I think the government has made some

significant errors in the past, errors that will not be forgotten in the future.

**The Acting Speaker:** Now we have the opportunity for comments and questions.

**Mr Kimble Sutherland (Oxford):** I want to respond to the comments from the member from Mississauga and say that I believe this legislation is very good legislation. As has been stated by other speakers to the bill, it is enabling legislation that sets out the framework that allows the government to proceed with cutting red tape, cutting paperwork, those important things that every small business person has told every member of this Legislature.

We know the opposition parties have talked about it. In one of these vision statements that the Leader of the Opposition has had, she says she wants to cut red tape. She hasn't identified what red tape she's going to cut; she just says she's going to cut up to 50% of it. "Fifty per cent of what?" is the question most people are asking. This legislation is real action to get on with the job. It's not just platitudes talking about it.

Besides this piece of legislation, this government has done a lot of other good things for small business. Jobs Ontario Training in my community has been very beneficial for small businesses, which don't always have the ability to access normal types of training programs. But this one they've been able to take good advantage of, and that has helped many of those businesses expand in terms of more employment, but also expand their businesses.

You will recall that earlier this year we changed the financial services act. My colleague from Scarborough did a lot of work on that to allow a couple of other things to happen, to allow credit unions and co-ops to do different things for new financial instruments for small business.

In the budget, we made changes for loan and trust companies so that they could have more flexibility and be more competitive in helping to finance small business in the growth area.

We've also set up the investment fund. We've done a wide, wide range of things that small business people can take advantage of. With the economy growing as it is, small business is making a strong statement that it does have faith in Ontario and this government.

**Ms Christel Haeck (St Catharines-Brock):** As many in this House know, I chair the standing committee on regulations and private bills.

One of the tasks of that committee is to go through revivals of corporations that for some reason, frequently through inadvertence, have failed to maintain their corporate information with the Ministry of Consumer and Commercial Relations.

What I find so reprehensible about some of the comments of our member from Mississauga and some of the other members in the opposition around the filing fee for small business has been the fact that it's been characterized as a tax. The reality—

**Mr Turnbull:** That's what it is.

**Ms Haeck:** No, it isn't, and thank you to the member for York Mills.

The reality is that when you take a look at the whole legal procedure, and one that has been in place for many a year, long before this government, the cost involved in reviving an organization, be it profit or non-profit, is quite expensive, much more expensive than the \$50 to maintain their corporate records with the Ministry of Consumer and Commercial Relations.

The printing cost alone in the final bill to revive the corporation that goes to the Ontario Gazette is in excess of \$1,600. I would suggest that many corporations, and especially a small one, do not want to spend that kind of money.

So I would suggest to our colleagues across the floor that their information, and especially the kind of advice they give to their constituents, is extremely wrong, highly inaccurate and definitely not giving their constituents the kind of information they could rely on. So when they encourage them to scoff at the law, they are in fact not giving appropriate information.

**Mr Randy R. Hope (Chatham-Kent):** As I listen very intently to the member opposite from the Liberal party talk about what we've done, it's important that we remember what they did in five years. You talk about the attack on the small business community. Look at what the employer's health tax has done to that community. I hear constantly from the small business community. There was an offload on that.

**Interjection:** Commercial concentration tax.

**Mr Hope:** My colleague also indicates the concentration tax, which was a big hit on it.

But one who likes to follow the federal Liberals in hoping they can ride on the shirt-tail of Jean Chrétien, I must remember in their Liberal red book—and you notice I put it in a blue one because they've become quite Tory lately in their policies federally—it clearly indicates about removing the paperwork, the duplication and making sure that we can put business back on track with less hours. Remember the businesses we're talking about. We're talking about a person who owns the company, who is the accountant, who is the lawyer, who is everything else, who is doing all the paperwork. What we're trying to do is alleviate that. We currently did it with four already. There is more that's going to be implemented. That's the important thing.

But when I hear the members opposite talk about how they can represent business and support business, the only time I heard the Prime Minister's lips move on ethanol was when he was in China supporting the production of an ethanol plant in China and not supporting the industry which is even located in my own riding, which is going to create jobs, \$160 million of capital.

So if the members opposite who like to ride Jean Chrétien's shirt-tail and hopefully win in the next election, they'd better start understanding, and the general public had better understand what our federal government is doing to the small business community: the UI changes; not helping the farming community; the interest rates are another prime example.

I think the public wants to know what importance there is here. Look what Chrétien is doing to the small business

community. Look what we're trying to do to fix problems they've created for five years.

1650

**The Acting Speaker:** The member's time has expired. We have the opportunity for one more question or comment. I recognize the member for Etobicoke West.

**Mr Bradley:** You'll be surprised. There's another closure motion.

**Mr Stockwell:** Look at this: another closure motion, on Bill 165, workers' compensation. They're moving on that. That's awful, shameful. What a place. Three bills, three closure motions.

*Interjections.*

**Mr Stockwell:** For a government that refused to come back to work for five weeks because they couldn't get out of bed to come to work, they've got their third closure motion, brought in on the Workers' Compensation Act.

**The Acting Speaker:** We are responding to the member for Mississauga North.

**Mr Stockwell:** Yes, I'm trying to respond, but it's very frustrating to be handed this the moment you stand up and see a government moving closure on another piece of legislation.

They won't come back to work. When they finally come back to work, they move closure on the three most important bills that we're going to deal with during this session, because they can't come back to work. What they don't move closure on are piddly little bills like the one we're dealing with today that's going to amalgamate four forms; that won't get implemented until after the next election; that's buying off in some warped, dysfunctional, socialist fashion the business community, which they think is going to go flowing all over each other under this government because it amalgamated four forms and does nothing else.

Yet when we have substantive pieces of legislation dealing with municipalities, the Workers' Compensation Act or health reforms, we get closure motions; no debate. There's debate on this because we all agree. We're voting in favour of this piddly little amalgamation of four forms. But on substantive issues, this government is gutless and spineless because it moves closure motions and doesn't allow the people who want to speak to bills an opportunity to debate them, the important ones that are coming before this government and this province.

To add insult to injury, you can't even come back to work five weeks because you can't get out of bed, because you're too embarrassed to face the public with this government of yours. Shameful. Third closure—shameful, shameful, shameful.

**The Acting Speaker:** The time for questions and comments has expired. The member for Mississauga North now has two minutes to respond.

**Mr Offer:** Two minutes is just not enough time to respond, but I would like to say that the \$50 corporate filing fee for the small business community is a tax. You're taking the loot out of their pocket. If you don't believe that, then there's one of two things: Either you



don't understand it, or you haven't spoken to anybody about it. My guess is it's a combination of both.

**Hon Mr Pouliot:** It's a licence. Do you renew your car licence, your driver's licence?

**Mr Offer:** The question that you bring forward with respect to revivals is absolutely ridiculous.

**The Acting Speaker:** One member at a time.

**Mr Offer:** You don't understand a thing about what you're saying. You don't understand a thing about what \$50 meant to business in a recession. You and your government should be ashamed of what you've done.

*Interjection.*

**The Acting Speaker:** Will the member for St Catharines-Brock come to order.

**Mr Offer:** The second thing that you've been so negligent about is this time allocation. We know you're bringing in another time allocation motion, now on the workers' compensation system. It is shameful. It is irresponsible. It is negligent of that government to ram through another piece of legislation.

Let me tell you something: That's exactly why the business community has no faith in you, in your government and in your style of government, because all you've done is ram through stuff. It never mattered what they had to say. You never listened in four years to anything that they said, whether it was on corporate tax, whether it was on landfill, whether it was on long-term care, whether it was on any issue. You guys are just a bunch of arrogant, irresponsible nincompoops.

**The Acting Speaker:** I would ask members to respect the decorum of the House.

We have time for further debate. I recognize the member from York Mills.

**Mr Turnbull:** I intended to speak in a little detail on this flimsy bill that they've brought forward which they call Clearing the Path. The only thing this government can do effectively is be very creative about creating titles for bills. That's the only thing that they can do effectively, because indeed, just a few minutes before I stood up, we found that once again the government was moving closure on a bill in this House. They have moved closure on Bill 163, the Sewell bill; Bill 173, the health bill; and now indeed they're moving closure on Bill 165, the WCB bill.

These are the most important bills before us in this session. They are bills which are highly controversial in that the government has heard from the public a lot of criticism, where overwhelmingly the public delegations have said that it is wrongheaded in all of its assumptions. It hasn't gone well for the government in these hearings.

The government itself has brought in innumerable amendments. Even though they have brought in hundreds of amendments between these three bills, they are not allowing the opposition sufficient time to discuss them in committee. That's reprehensible in itself, but when one considers that this House was called back some five weeks later than the legislative agenda calls for, it is even more reprehensible, because we could have been getting on with these jobs. The government doesn't want to work

very hard. Most importantly, they don't want the scrutiny of daily question period.

Today we're debating a piece of legislation, Bill 187, which they refer to as Clearing the Path. In essence, all this does is it combines the reporting of four forms. The government, under the chairmanship of, I believe, the member for Norfolk, has spent some three years speaking to business about what it should do to help business. In the meantime, they have thrown up every possible road-block to business creating jobs. They laboured and they came back and produced this bill which combines four forms out of some 43,000 forms that the government uses.

The government seems to be absolutely resolute about the fact that it's going to use its new-found powers to close down debate of anything which it finds a little controversial. I see the minister of northern affairs is nodding and agreeing that yes, you close it down.

I must say that in the last election I clearly was running against the Liberals, because I did not believe in what they had done, but the New Democratic Party, which had always preached about its integrity and its openness, has done more to destroy democracy than almost any other party in Canada. They brought in new rules which substantially reduced debate. At the time that these new rules were put forward to the opposition House leader and third-party House leader, there was a promise made that at most they might use closure once in a session, probably more likely only once in the whole of one Parliament. But instead, in the few weeks that we have been back, we now have three pieces of closure.

In the years that the Conservatives were in power, dating back to Confederation, there have been three closure motions by the Conservatives. This, if I remember correctly, brings the number of closure motions that this government has used in its four and a half years to 14 closure motions. One has to have serious concerns for the ability of the opposition to be able to express the legitimate concerns of those people who don't agree with the government.

This is a principle that the current government should have a great deal of concern about, because when they return to this side of the House, provided they have enough members to even come to this side of the House and they're not sitting out in the halls watching the monitors, they will indeed face the same problem, that governments will have such power that they can close out debate. That is a very serious threat to the whole concept of democracy.

1700

There could have been no doubt when this government was elected that they had different views from those my party subscribed to, and that's legitimate. But I didn't believe that the party that had always spouted over the years about democracy and how they would do things differently would want to close down legitimate debate. I remember Peter Kormos speaking—

**Hon Mr Pouliot:** You weren't here, I remember. I sat here for years and years.

**Mr Turnbull:** —before I was elected. Yes, indeed.

The minister says I wasn't elected. You're quite right.

*Interjections.*

**Hon Mr Pouliot:** But you weren't here.

**The Deputy Speaker (Mr Gilles E. Morin):** Order please, Minister. There is a period called questions and comments. If you have any questions or any remarks to make, take advantage of that period. I would encourage you to debate the bill, please.

**Mr Turnbull:** This is very much about the bill and about the problems that businesses are having in being heard by this government and the vital task that a government has to create jobs. Part of it lies in the regulations which are being passed and the bills which are being passed by this government. The government went and spent three years and produced this bill, which combines four business forms. But indeed, the business community has been telling you that they have concerns about the operations of the WCB and consistently, in the presentations that were made to this government during the WCB hearings, they were told that they were wrong, that they were off base.

There is nothing in this bill which addresses those vital concerns of businesses, businesses that want to create jobs in this province instead of seeing them disappear across the border to other provinces or to the United States. It is a serious, serious threat to business. What has the government done? They've combined four business forms. It's about as much sense, combining four business forms—and I agree with them; I'm going to vote with the government on this—but this has about as much sense as getting four bailing buckets on the sinking Titanic, because that's how much use it will do. But I guess it makes you feel good.

It's very interesting that in fact this bill is only going to be implemented in September 1995. Here we are in November of 1994. I wonder if, after three years of hearings around the province, the government might bring forward something a little bit more substantive.

We know we have had a devastating recession, for which I'm not blaming the government entirely. This has been a worldwide recession, but it has been exacerbated by excessive government regulation and the attempt by this government to placate all of its union friends.

We now have a province which has excessively high costs of doing business. The business community I know told the government this, but they don't address it in this bill.

The business community said they have great concerns about the WCB. They said you need to address it. Well, the government's approach to that is when the bill is brought forward that the business community has said is wrong-headed and will not address the serious problems of WCB and the mounting unfunded liability, the government chooses to ignore it—more than ignore it; they closed down the committee that is studying that bill.

Mr Speaker, when you say, "Speak to this bill," I am very much speaking to this bill, but it is impossible to decouple this bill from the other legislation we have before us. It is impossible to uncouple it from the WCB bill. It is impossible to uncouple it from the health bill,

Bill 173, because it's part of this government's intent to unionize all of this province.

We have seen how this government has consistently attacked business. They have raised the amount of money that the minimum wage is to a point that business is saying, "It's difficult for us to create the new entry-level jobs." What we should be doing is encouraging those good people around the province who are unemployed at the moment to go to work and we've got to help them by topping them up, by assisting them to get their children into day care.

But on day care what has this government done? This government has attacked the private day care sector. They have consistently refused to help the private day care sector because they say, "We're not going to give any more funding to new spots in private day care." Even if people live immediately across the street from a private day care centre and there are spaces and the quality of care is just as good as in a non-profit centre and there are spaces there and the people who have children live at the other side of the street, this government is saying, "No, we would sooner spend capital money on creating new non-profit day care centres," which will be in competition with the existing for-profit day care centres, because they are philosophically opposed to the private sector.

This labelling which brought forward a mouse—when you take the French-language translation out of this, this is four pages of a bill, four pages which I would suggest in and of themselves are worthwhile, but they are such a tiny step that it shows that the government hasn't been listening to those people who create business.

The Mike Harris task force on small business went around this province in approximately the same time frame and it came forward with a report which clearly speaks to the concern of small business. I think the feeling of small business people around this province was probably best expressed in somebody from the chamber of commerce, I believe it was in Kitchener, saying, "Ontario is a great place to live but a lousy place to do business." I don't believe that opinion is going to be changed by the passage of this bill, let alone the fact that this bill will not be implemented until long after this government has gone.

For those who read the Globe and Mail Report on Business dated November 14, they're talking about the horrendous slump of business in Ontario compared with Canada and we see that Canada as a whole has recovered from the recession and that jobs are increasing. We look at Metropolitan Toronto and today the employment levels are at approximately 91% of what they were when this government came to power.

We know that the problems that beset Metropolitan Toronto and my own riding of York Mills, which has an unusually large number of small business people, is the fact that the government is ignoring the vital concerns of Metro. They fail to give any funding to the school boards in Metro. The only places in the province that get no funding on schooling are the city of Ottawa and Metropolitan Toronto.

We have businesses which are leaving Toronto and moving just to Vaughan because of the lower tax base. I



don't have it here, but there was an interesting article in the paper, I believe over the weekend, which spoke to the problems that Metropolitan Toronto has, the fact that they don't get this funding for police. They fund a lot of things which are to the benefit of the whole province. But the government hasn't addressed any of that.

1710

In fairness, it was the Liberal government that took away all of the funding for education in Metropolitan Toronto, and in opposition I believe that the NDP spoke out against it, but they have done nothing in their four and a half years in government to help that.

What is the link? Property taxes are very high in Metropolitan Toronto. Before the recession came along, rental rates in the office towers used to be some of the highest in the world, and that to a great extent was due to the very heavy property tax burden. The net rent in office towers today in Metropolitan Toronto is very often less than \$5 per square foot; in some cases one sixth of what it used to be. But the taxes have continued to go up, so the burden of property taxes far outweighs the net rent that the landlord receives. That's why we have seen the demise of a lot of property companies.

In fairness, we can say that some of the companies overlevered themselves, some of them were over-ambitious and hadn't followed the ebbs and flows of business and hadn't recognized the fact that probably the absorption rate wouldn't be there. I accept all that, and there was a worldwide recession, as I've said.

But the fundamental problems of business in Metropolitan Toronto and in fact around this province are taxation problems and overregulation. Nobody in any of the parties represented in this House would suggest that we should move to getting rid of all of our regulations, but clearly we have to be more reasonable about the kind of reporting structures that we impose on small businesses.

We must have reporting structures which recognize the amount of time that an owner has to fill out forms. Indeed, as a small business person myself, I know how much repetition there is in the forms, where over and over again, from different ministries of the government, and the federal government too, you're filling out the same piece of information and sending it many, many times per year.

A lot of small businesses that spoke to our task force suggested that they have one person, full-time, spending one day per week on all of the associated compliance dates and paperwork that's required. We've got to address that, and, yes, I will say to the government that combining four forms is a good idea. I'm not speaking against that. But you have failed to address the fundamental problem, and that is that we have far too much regulation. After three years of studying, for you to come back with this bill as it stands today is frankly an insult. It ignores the very real concerns that people have about the burden of WCB.

I know that there are many companies around the world which, when they look at North America and they are considering opening a plant in North America, look

at the total tax burden and they look at the regulatory burden and they conclude, with such issues as the huge unfunded WCB liability, that Ontario is a very dangerous place to set up business. Today we have in Ontario 500,000 people who are unemployed.

**Hon Mr Pouliot:** Chrysler, GM, Ford.

**Mr Turnbull:** I hear one of the members from across the floor from the government shouting about Chrysler. Let's just talk about Chrysler. Chrysler is one of the most profitable companies in Canada. What did this government do? They forgave it loans totalling, I believe, something close to \$20 million.

This is the same government that asked the government employees to take a reduction in pay, the same government that has laboured and brought forward this bill where it's combining four forms, and it forgave something like \$20 million to Chrysler, one of the most profitable companies in Canada, instead of doing the right thing, and that is reducing taxes all across the board and reducing regulation all across the board so that we can get on with the private sector and small business creating jobs, because we know that by far the largest number of jobs have been created by the small business sector. This government is completely out to lunch on that score.

I was at the lunch today where Premier Ralph Klein was speaking, and he said something which rather appealed to me. He said, "You have to go hunting where the ducks are." Well, believe me, you ain't hunting where the ducks are when you come forward with a bill that combines four forms after three years of study.

**Mr Jim Wiseman (Durham West):** How many kids are starving in Alberta under the same policies?

**Mr Turnbull:** You have a government which ignored the business sector with respect to what it did, what it has said about WCB.

**The Deputy Speaker:** Order, the member for Durham West. The member for York Mills has the floor.

**Mr Turnbull:** The government has ignored these vital concerns, and the best indication of that is the fact that the business sector said they were very, very concerned and they feel the WCB legislation is very dangerous. Instead of doing something constructive about it—there was a whole group of business people who came forward with a proposal at the Premier's request, and what did the government do? They picked out the things which they thought were favourable to labour which the employers had given them, and ignored all of the real substantive issues which would have put the unfunded liability down to zero by the year 2014. That would have been a sensible measure, because that would have been a real job creator.

There was a recent meeting that we had to discuss governance held here in Queen's Park that my party put on, where we had people from labour and business coming forward to discuss our document *The Common Sense Revolution* and how to downsize government. One of the discussion pieces was about regulatory burden, and also one of the labour union leaders talked about the fact: "Oh, well, wait a minute. Business is not interested in giving up its subsidies." A lawyer, I believe, for the Ford

Motor Co got up and said, "That's not true." He said, "It's true that we certainly look at these giveaways by government, but we look at the total package, and it has to make sense."

This government has decided that the only way we can make the auto industry in Ontario viable is by giving them loans and then forgiving them, instead of reducing the basic problem, the tax burden, all across the board and letting small businesses have the same breaks that this government is giving to big business which is unionized. It is significant that the breaks that this government gives are always to unionized labour and it's the big unions. We see it today, we see it in this bill and we see that the government comes forward and closes down committee discussion of the WCB bill as we go through clause-by-clause.

There is a wad of amendments an inch thick to the WCB bill, many of them the government's, which were thrown on the table immediately before this closure came down, just days before. We haven't had a chance to discuss those amendments. Some of them we agree with, some of them we fundamentally disagree with and the business community fundamentally disagrees with them.

Instead of allowing that committee in an orderly way to work through them—and I emphasize to work through them in an orderly way—we see this bill is not going to be implemented until September 1995, and yet they want to close down the WCB committee hearings where they, the government, have put forward all of these amendments. They're closing it down.

In the three weeks that we have been back from this excessively long recess that we had, the government has closed us down on debate on three bills. This is not democracy, Mr Speaker. This absolutely abrogates the powers of the opposition to criticize legitimately what the government is doing.

1720

I remember when Peter Kormos stood and spoke for 17 hours on the auto insurance bill. What did Premier Bob Rae, at the time the Leader of the Opposition, do? He went and embraced him at the end of a 17-hour debate.

**Mr David Tilson (Dufferin-Peel):** He gave him a hug.

**Mr Turnbull:** He gave him a hug. But that's not possible now, because this government makes sure it closes down the debates long before it's going to get to that. So there are going to be no hugs.

You ask Mr Kormos what he thinks of the way this government conducts itself. He doesn't think the party is very democratic these days. I will never be a political kinsman with Peter Kormos, but I'll say this for him: He clearly stands up for the principles that this party used to espouse. As he has said on more than one occasion, "I didn't leave the roots of the NDP; the government did." He is still there, speaking out for the opposition, because he doesn't believe that you should close down debate. He doesn't believe that this is the democratic way.

It's very significant that a government closes down debate on the WCB bill the very day we're debating how

to help small business. And they call it Clearing the Path. Well, that ain't clearing the path; that is increasing the amount of concrete on top of the roadblocks, plain and simple.

I'm absolutely at a loss to understand how a government that campaigned on the fact that it was going to be different and this was going to be open government would have closed down 14 bills in the four and a half years it has been here when all Conservative governments since Confederation have closed down three bills. That's a rather sobering thought. Go away and think about that.

**Hon Mr Pouliot:** You had two bills per session.

**Mr Turnbull:** Don't just heckle; go and think about that and decide whether that is democracy. I think you will be hard-pressed to come to that conclusion.

The speaker who was introducing Premier Klein talked about the problem that this government has, and all governments in Canada of all political stripes. Talking about Braziling, she said Braziling was what Brazil did when on two occasions it hit the wall, where it was borrowing money to stay afloat, it was borrowing money to pay the debt.

This government has consistently borrowed at least \$1 billion a month since it has been in office. The government cooked the books, and it wasn't until the Provincial Auditor said, "I won't sign these books," that the government finally started rejigging its numbers. It was very interesting. In fairness to the Finance minister, he has come forward and he has said yes, he's going to republish these numbers.

We now indeed see that the only government that said it had had a balanced budget in the last few years was the Liberal government, the year before it went to the electorate, when you'll recall they said they were going to have a balanced budget but in fact they didn't have a balanced budget with the new numbers. They were somewhat like \$2 billion in the hole.

Here we've got this bill which absolutely ignores the fundamentals that business has been asking for. Businesses were concerned with the \$50 filing fee which was brought in by this government. We were told when they brought it in that it was just a one-year fee and then they got addicted to it and they came back. They've been closing companies down because they haven't complied with it, closing businesses down which were creating jobs. That's how much they have done to create business.

This piece of paper, yes, we're going to vote with you, but I'll tell you, it's not enough and it's too late.

**The Deputy Speaker:** Thank you. Your time has expired.

**Mr Hope:** I look forward to the debate we'll be having on the WCB, because I would like to talk to the member opposite about some of the things he brought forward. But I think it's important. The member sits there and recites how they support small business. We must remember what government brought in the goods—

**The Deputy Speaker:** It's questions and comments on Bill 187.

**Mr Hope:** That's what I'm doing.



*Interjections.*

**Mr Hope:** He made a comment about workers' compensation, did he not?

**The Deputy Speaker:** No, no. It's Bill 187, please. If not, I'll cut you off.

**Mr Hope:** The issue around being supportive of the small business community, you must remember, the member opposite, the federal government which implemented the goods and services tax, which disguised the 13.5% tax and rolled on top of it another 7%, which is demoralizing to the small business community today, and if you're out there talking to them they'll tell you about how that GST is really affecting their business.

In the Hacksaw Mike's American Revolution document that's out there, it talks about cutting government grants and subsidies: It will cut business subsidies and reduce government grants for a total of \$200 million. I tried to figure out what subsidies are out there, and that means actually paying the cost of hydro; that means actually paying the cost of workers' compensation; that means actually paying the cost of health care.

The members opposite in their document, which is a Mike Harris American Revolution, talked about a \$200-million saving; they're talking about making business pay those full costs for those full programs. If not, then they're talking about not even helping small businesses up on their feet through recovery programs or whatever it may be to help those businesses achieve a better marketplace.

When I read this document, which is also talking about scrapping the Jobs Ontario program—I know in my own community that we had a projected number for three years; we did it in two years and more and more small business communities are coming on—this is what this one's talking about in order to support his government's agenda in the Mike Harris Hacksaw, this American Revolution. It talks about eliminating the red tape and it states here:

"Starting a company in Ontario can mean going through as many as 10 different government departments or agencies. Every year, Ontario passes...new regulations. It's little wonder that employers..." When I read their own document, their own document is not even specific in what they will do as far as red-tape cutting for the small business community.

**Mr Bradley:** I enjoyed the remarks of the member for York Mills because they really pointed out the limitations of this piece of legislation and I think that has to be done. This is trumpeted as some revolutionary new piece of legislation and the fact that it is getting so little consideration in this House in terms of the time allocated to it I think is an indication of its level of importance.

It is a step and everybody always wants to see a step taken, but if one wants to look at what's really required, it's a change in the entire atmosphere, a change in the entire climate for investment in this province. That still hasn't happened, and it hasn't happened because the bill doesn't contain enough provisions which would ease the minds of those who would intend to invest in this province. I think that's what the member for York Mills

was referring to, that the bill, as limited as it is, does not serve its purpose.

The consideration and the amount of time—and you as an individual in the chair are interested in the amount of time given to this particular bill, as is the member when he started out his remarks this afternoon. The opposition parties, in recognition of the fact that this is a tiny step forward, wanting to be as cooperative as always, agreed that it would take a limited amount of time on this bill.

The thank you, of course, that the opposition gets for this is another closure motion filed with the table today. That means that when we try to accommodate the government with a rather limited debate on this so that we can spend more time on more substantive legislation, we end up with a thank you which is a closure motion, which is the third closure motion, you would remember, that we have had in the last three weeks when the government refused to bring the House back.

Those are my comments on the member's remarks. I think they were quite suitable and I know the Conservatives want to speak.

**Mr Tilson:** I'd like to make a few comments with respect to the member for York Mills's address with respect to this bill.

I think the remarks from the member for York Mills express the frustration, at least on this side of the House, when the minister stood up, I think in her statement when the bill was introduced, and used the words that the bill "reflects the government's commitment to cutting red tape for business."

I can tell you that I think all sides of the House were concerned with the bureaucracy that—for whatever reason and whatever party—has been created over the years, and I suppose some of that bureaucracy can be attributed to all parties, but certainly this bill—and the member for York Mills has expressed it very rightly—is with respect to the disappointment, the disappointment that, "Is this all there is?"

1730

Certainly anyone who talks to me, and I'm sure other members in this House, about wanting to invest in this province, whether from outside the province or inside the province, they're concerned about the mass of regulations that have developed over the years. They're concerned about the taxes that have increased over the years and how they're causing a lot of problems with respect to competitiveness not only with other provinces but with respect to the United States.

I can't resist commenting on the topic that the member for York Mills made when he compared Clearing the Path, when that's exactly what's going on in the past two weeks. Every piece of legislation, three of the most important pieces of legislation, all of which in some fashion are going to affect business in this province, whether it be WCB, the planning legislation or the long-term-care legislation, all of that is being put through by closure. We're going to have, what, a day to discuss three of the most important pieces of legislation this province has ever seen? That's what I call Clearing the Path.

**Mr Perruzza:** I appreciate the opportunity to respond

very quickly to some of the comments that the member has made. There's no question that some small businesses and some businesses in the province of Ontario are hurting and have been hurting for quite some time. There is no question about that.

Nobody has the ultimate knowledge in this area. A lot of the time my colleagues across the way heckle across here and say: "Those New Democrats, they know nothing about business. They know nothing about small business." Here we come along and try to simplify—yes, in a small way—along with a number of other small things that we've done for business to lower the overhead, lower some of the costs that businesses are afflicted with and have to deal with in order to survive as businesses.

They, the business party of Canada, are the first to stand up and say: "Nay to you New Democrats. You know nothing about business. You're not doing diddly about business." I'll remind them that what they did, what their party did, what free trade has done has forced Ontario and Canadian businesses to have to compete with Mexican businesses, with American businesses, where in the latter cases the overhead is much lower.

I'll tell you some of the other things that we've done. We've removed the commercial concentration tax, a \$1-per-square-foot tax on business. We did that. You didn't do that; they didn't do that; we did that. We lowered the business tax rate in Ontario. We lowered the business tax rate; not you and not them. We gave employers, on the employer health tax, a one-year—

**The Deputy Speaker:** Your time has expired. The member for York Mills, you have two minutes to reply.

**Mr Turnbull:** In response to the last speaker, all I can say is perhaps you're a little bit mixed up. It was the Liberals who put the commercial concentration tax in place; it's the Liberals who put the employer health tax in place. We haven't been the government since then. We certainly would've taken it off. We agree you should do it.

**Mr Wiseman:** You're the GST party.

**Mr Turnbull:** My friend across the road says we're the GST party.

*Interjections.*

**The Deputy Speaker:** Order.

**Mr Turnbull:** The fact is that when the federal government reduced taxes, this government, the NDP, was quick to mop it up. But people suggest that somehow we're unfriendly to business with this. Ask businesses. They think it's a good idea to get rid of all of the subsidies. They say, "Let's just have lower taxes." The fact is that we're going to reduce taxes by some \$4 billion. But in order to do that, we are going to reduce government spending by \$6 billion. We'll still be \$2 billion to the good.

The fact is, anybody who suggests that you can't cut \$6 billion off a \$55-billion budget should be mindful of the fact that when our party left power in 1985, the provincial budget was \$26 billion. Anybody who understands about inflation adjusting a number knows that you don't get anywhere near \$55 billion. So this is a relatively small reduction, but it is needed. As Ralph Klein says,

"You've got to hunt where the ducks are," and the ducks are government spending which is choking businesses and choking employment.

We intend to give tax reductions all across the board, not just to businesses. We are giving it through the income tax system so every union member will get a reduction. It's like a 13% pay increase.

**The Deputy Speaker:** Time has expired. Any further debate?

**Mr Wiseman:** "Cancel the kindergartens." That's the Ralph Klein approach.

*Interjections.*

**The Deputy Speaker:** Order. Minister.

**Hon Ms Churley:** I want to begin by correcting some misinformation that I'm sure is honest misunderstanding by the opposition parties. I do want to correct this because it's very important that people understand that this bill is not about opening up the single-window registration process. We have done that already without legislation. These self-help offices are already opening up and no new legislation is required to do that.

**Mr Bradley:** Thank God for briefing notes.

**Hon Ms Churley:** No, I wrote these myself. Look, it's my own handwriting, just to refresh my memory here. No briefing notes. Look.

**The Deputy Speaker:** Minister, I would ask you to address the Chair.

**Hon Ms Churley:** Actually, I am going to produce a briefing note for just one moment, because it is very important that people understand what this legislation is all about and the significance of this legislation.

It establishes a framework that will enable the government to simplify filing and reporting and tax payment processes for all businesses, and that includes sole proprietorships, partnerships and corporations. I am going to, if you'll allow me, just read off some of the processes in this bill, once it's passed, because I'm sure the opposition at the end of the day, despite all of the heckling, will support this bill.

—It provides a single system to file information under designated acts.

—It provides a single system for handling applications, registrations, renewals, cancellations and other changes under these designated acts.

—It provides a single financial and statistical reporting system for businesses.

—It standardizes dates and combines processes for filing information and making payments.

—It provides streamlined forms to replace a multitude of forms under designated acts which, I may add, came in under a succession of other governments.

—It adopts a single business identification system to assist business to deal with many government programs.

—It links with the business identification system maintained by the federal government to assist businesses to deal with both levels of government.

—It will maintain all business records in an electronic system.



—It authorizes users to input information directly into the electronic database.

—It will accept payment by credit card.

—It sets up a new organization to ensure effective delivery of services to business.

—Very importantly, it provides a unified service to handle all approvals, licences and permits required by businesses—this is the master business licence service—of Canada or any province or municipality.

I could go on, but there really is quite a misunderstanding as to the magnitude and the importance of this bill.

I do want to talk a little bit about the regulatory responsibilities because both parties today talked at great length in their desire to minimize this bill and say it isn't important to business. I am somewhat appalled by the level of the debate in terms of the competition on which government cares more about business and which government wants to do more, can do more.

I think, when it comes right down to it, we all understand the importance of small business to the economy in this province and we all want to work together to try to improve that. One of the things we have mostly heard from the small business community and the big business community is the red tape that's built up over the years in government.

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I want to say that our government takes its regulatory responsibilities very seriously. I think it's important when we hear the leader of the Liberal Party talk about cutting regulations by—what is it, 50%, she said? But she doesn't identify what she's going to eliminate. The same with the Tory party. People have to live in the province of Ontario. They're raising their kids in the province of Ontario. They're playing in the parks in the province of Ontario. This province isn't here and this government or any government is not just in existence to help business. We have to remember that also people live here, and we have to find that balance in regulation that is necessary to make sure the safety of the people who live in this province is maintained.

I would like to hear what the Liberals and what the Tories exactly are talking about eliminating. I think the people of Ontario would also like to hear—

*Interjections.*

**Hon Ms Churley:** Mr Speaker keeps telling me to look at him because of the constant heckling from across the floor.

We do have to remember that when you start talking about cutting and slashing regulation, yes, it is important to look at the kind of regulation that's in place and whether or not it is necessary, and in all kinds of ways we are doing that. The bill that we brought in recently, the omnibus bill, which is here somewhere in my pile of briefing notes, is already starting to do that, to cut the kind of regulation that, let me say again, has been brought in over time by governments of the day. It is important to take a good look to see if that kind of regulation is still necessary, but I really want to hear what kind of regulation they're talking about cutting. I

think environmentalists out there are worried when they hear opposition parties talk about cutting government regulation. I think people who worry about the safety of their kids wonder about what they mean. We want to hear just what regulations are being talked about here. It's really important.

Because there's been quite a lot of discussion here today about the annual filing fee, I am going to spend a few moments talking about that annual filing fee, because once again there is a misunderstanding about what this filing fee is all about. Let me reiterate once again that every jurisdiction, every province in Canada, has this annual filing fee. The Liberal federal government has this filing fee and they charge \$50 every year. The Liberal government in PEI has this annual filing fee and charges \$200—not \$50 but \$200—to all the corporations in their province.

When I hear a Liberal or a Tory stand up and tell me or this government that we don't understand business, let me say to him that every province and the federal government has this filing fee, and do you know what they have that we don't have in this province? They have a system that's in order. When people go to search their public records each year, what do they find? That it's in order.

The legal community, the business community, private citizens, all kinds of people—there are about 350,000 searches a year in this province. We have to make sure, especially while we're starting to harmonize with all the provinces across Canada, that our database is up to date. We have found since we brought in this annual filing fee that at least 60% of the information we had was incorrect.

It is a legal responsibility for everybody to make sure their files are kept up to date, because it is important public information. What we have found by looking at what other provinces have done by keeping and maintaining this annual filing fee is that their records are up to date. We can't even begin to go ahead with doing these kinds of things that I was talking about under the act unless our public information data is up to date.

So when people in this House get up and tell me that this government doesn't understand business because we're bringing in an annual filing fee, they should look to their brothers and sisters, their fellow political friends in other provinces, and ask them why they have kept their annual filing fee and what kind of shape their public data is in.

I'll conclude by saying that this bill, I believe, will be supported by all three parties. People have offered, in the midst of their long speeches about all the things they think we're doing wrong and suggesting that this bill is just a piddling little bill that doesn't go far enough, by I believe quite honestly just missing the point here—I believe that once they understand and hear what this bill is all about—if they listened when I read this out, they will understand and support this bill.

I urge them to do so, because leaving aside whether or not some regulations have to be removed or changed, I think we all agree that we have to make government more efficient. We're in the process of doing that through the omnibus bill. I believe that we all agree. We've heard

from business, and red tape is a problem. This government, with this act, is changing that and in fact is going a long way. This bill will allow significant changes to be made to the way government conducts business with business out there.

So I urge all members to support this bill and try to be, as much as possible, even though there is an election coming up, as non-partisan as possible. I do believe that small business out there would like to see us be cooperative and make sure that this bill passes in a timely fashion.

**The Deputy Speaker:** Questions or comments?

**Mr Bradley:** I'll take advantage of the opportunity to comment on the last comments of the Minister of Consumer and Commercial Relations, who has responsibility for a variety of fields, including stuffed articles, amusements devices, pressure vessels and so on, all of which probably require some of her attention.

**Hon Ms Churley:** Elevators. Don't forget elevators.

**Mr Bradley:** I was wondering, and I thought she would mention it in her speech, so I'll react to that, why she didn't mention—and the member for Etobicoke West will be interested in this—why the NDP at its convention agreed now that it will accept corporate donations. I don't know if you're aware of that. I think they believe that by streamlining the process for business perhaps they'll be able to attract some business support.

This is, as the minister has appropriately described it, a very modest step forward that everybody in the House is going to agree with and that we're prepared to let move rather quickly. But I know that the member would not have mentioned a car repair business on Secord Drive in St Catharines, where I went in to talk to the individual about red tape, the kind of steps that you're talking about.

Here, an individual has a new set of forms to fill out that replaced another set of forms and the only difference he could identify—well, there were two differences. One difference is, the colour of the form is different, and the second is, the cost is about five times the cost of the last set of forms that he had to fill out. If you're going to really deal with the everyday problems that people have, you have to stop taxing these people indirectly by charging them for new forms.

**Mr Tilson:** I would like a few comments with respect to the remarks made by the minister. I've been reading some of the material that's been put out by the government with respect to this particular bill, and I look at some of the things that they're going to be doing. This bill is supposed to eliminate some bureaucracy, and yet this is what this bill is going to do: They are going to have a kit. I don't know how much it's going to cost, but the government is going to put out a kit to explain this stuff. They're going to have a kit which is going to include registration forms and it's going to provide general information about registering these businesses, and who knows how much that's going to cost or how many bureaucrats that's going to cost.

Then the best part is they're going to have a pamphlet which describes the kit, and then they're going to distribute that pamphlet around, which is going to tell us how

to read the kit. Then they're going to have a help line and the help line's going to tell you how to read the pamphlet, which in turn's going to explain the kit. This is the wonderful new world of the New Democratic Party government in trying to eliminate bureaucracy.

1750

**Hon Mr Pouliot:** Who wrote that stuff?

**Mr Tilson:** I don't know who wrote this. I couldn't believe it when I read this.

*Interjection.*

**Mr Tilson:** I know we're going to get rid of it; we should get rid of it. We should get rid of all this bureaucracy that you've created.

Do you realize the bureaucracy that your government has created since you've come to power? Every bill you've got a commission. You've got the Advocacy Commission. That's a great thing, and all the wonderful work that commission's doing. You've got a commission called the Employment Equity Commission, and all the cost that's going to have.

Then you're going to have an environmental commission. That's the best one. I think I've referred in the House a couple of times to a letter which I got from the Environmental Commissioner that says she's going to look at something that I wanted her to look at in 1998. All this wonderful bureaucracy that you've created over the years, and all you can do is to put forward a bill that eliminates four forms. Shame on you.

**Mr Drummond White (Durham Centre):** I'd like to congratulate my colleague on her speech and of course upon this bill. My colleague has done an excellent job as the Minister of Consumer and Commercial Relations, and I think it behooves us to take a look at what the bill does. We're talking about simplifying business forms, we're talking about making things easier and simpler to do business in the province of Ontario.

My friends in the opposition will rant and rail about the high cost of bureaucracy, about all of the travails of small business, but should it not be pointed out that they created those monstrosities, and here we are doing some creditable work in making life simpler for small business in Ontario.

We are looking also at a range of other services. We are looking at, for example—our government that did not go lock, stock with the federal government with its GST. We did not raise taxes. We did not raise our provincial sales tax with the federal GST. In fact we've reduced small business taxes.

My friend the minister of Consumer and Commercial Relations has been a very, very strong advocate for small business in our province. Time and time again she has put forth the needs of that constituency in our caucus and in our cabinet, and in areas like this we can see the product of her work, the product of trying to make it simpler for small businesses in our province, to make accessible government, to have one-stop shopping essentially, a one-door approach, not a situation where, as in the past, small business is forced to go to all these different offices of government but rather one office that will serve them. Through bills like this, our minister is



moving ahead in the interests of small business in our province.

**Mr Stockwell:** The minister has played this the way she was supposed to and the way the government was told to. They're trying to palm this piece of flimsy legislation off as some kind of new wave approach to resolving the issues of small business. The cynical and maybe the more pragmatic thinkers out there will say, "Gee, if they wanted to amalgamate these four forms, they could have done that by simple regulation." You could have done that, Madam Minister, and you know it. A simple regulation and you could have amalgamated the four forms.

The other cynical point about this is, none of this stuff will be implemented before the next election. You had five years to pass some serious legislation that will go about dealing with the concerns of small business. The best that you could offer up was one-stop shopping, so you can get confused in one location rather than five and you can do four forms instead of one.

I know the member for Norfolk knows full well that this stuff won't be on the board, won't be being done until after we've gone back to the people, and all you're using this flimsy four-page piece of legislation for is a sop. You're going to try on the pretence that you'll get some small business support because you're going to tell them you passed Bill 187 and you're going to fabricate what in fact it will be doing.

What it comes down to is this is a sop at election time to small business because you've punished them with your short-sighted budgeting, your narrow-minded deficits and your hopelessness at dealing with the economic woes that befell this province. This isn't going to buy them at all. It's a sop, we see it's a sop, and from this point on small business will read it and say: "Big deal. Instead of going to four offices to fill out four forms, we go to one."

**The Deputy Speaker:** Minister, you have two minutes to reply.

**Hon Ms Churley:** I think that the member for Etobicoke West must not have listened carefully to my remarks, because if he had and if he had really read the bill, he would have understood by now. Once again, he mentioned that this bill was doing nothing but opening up one-shop windows. That in fact is not the case. We're

already doing that. I pointed this out previously. Some of these offices are now up and running and more will be coming by the spring of 1995.

They keep saying that this bill doesn't do anything beyond that. I've already outlined in great detail, when I made my speech—and perhaps he was out of the room or perhaps he didn't hear me—but I'm going to reiterate once again: We have started the process which no other government has done. We have started the process after 42 years of Tories bringing in all this red tape. We are doing it right now, and it's much, much more than one-stop shopping. It provides a single system for handling applications, registrations, renewals, cancellations and other changes. People will be able to pay with their credit card. They'll be able to file electronically.

In a way this is revolutionary. People in Ontario small business have had to, under other regimes for years and years and years—do you know that a small business right now has to go to at least seven different ministries just to register that business? Already, with the opening of these self-help offices, they no longer have to do that for four of the forms. Pretty soon, they won't have to do it for any of the forms. I urge the members to read the bill and pay attention to what this is really all about.

**The Deputy Speaker:** Thank you. Your time has expired. Any further debate?

*Interjections.*

**Mr Stockwell:** When is the bill valid? In September 1995. That's when it gets done, Marilyn. I read it, September 1995. You don't even know that.

**The Deputy Speaker:** The member for Etobicoke West, order. The member for Dufferin-Peel.

**Mr Tilson:** Mr Speaker, I notice I've got about two minutes to give my presentation this afternoon. I would like a little bit more time. Accordingly, I would ask that this matter be adjourned.

**The Deputy Speaker:** The member for Dufferin-Peel has moved the adjournment of the House. Is it the pleasure of the House that the motion carry?

*Interjections.*

**The Deputy Speaker:** Being close to 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

*The House adjourned at 1759.*

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# Journal des débats (Hansard)

Mardi 22 novembre 1994



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Président  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 22 November 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 22 novembre 1994

*The House met at 1331.*

*Prayers.*

## MEMBERS' STATEMENTS HIGH SCHOOL GRADUATES

**Mr Alvin Curling (Scarborough North):** I thought I'd use my moment to share with you some experience I had recently in Scarborough North at two wonderful collegiates, Albert Campbell Collegiate Institute, whose principal is Mr Harris, and Agincourt Collegiate Institute, Robert Myrvold.

I was at the graduation exercises there and I was so impressed with our young people that it gives me great hope again that our province is in good hands in the years to come.

The fact is that often what we hear in the papers are negative things about our teenagers, our students. These two institutions, and many others in my riding, produce some of the finest citizens of tomorrow, and even of today. I wish many of my colleagues were there at that graduation and awards night to see the excellent quality of citizens we have.

I remind our colleagues here that when they speak of our young people, I have confidence in them that when we leave here in our old age, those who will replace us are people of excellent quality. I have great hope in our province and great hope in our country.

## WASTE REDUCTION

**Mr Allan K. McLean (Simcoe East):** My statement concerns an Orillia health care facility that is wasting no time in meeting a waste reduction target.

By last August, Orillia Soldiers' Memorial Hospital, which generates about 348 tonnes of waste annually, was sending 48.3% less waste to the municipal landfill site than it was in 1990. The hospital's administration and staff expect to improve that waste reduction level to 70% by Christmas.

We all know that hospitals across Ontario are in the midst of waste diversion projects because the Ministry of Environment and Energy wants our health care facilities to achieve a 50% diversion rate by the year 2000.

The Orillia Soldiers' Memorial Hospital waste diversion committee expects to crash through that 50% target set by the province by implementing a new composting program. Almost 40% of the hospital's waste going to the landfill site is food waste. Orillia Soldiers' Memorial Hospital expects to save about \$2,000 a year by trucking 70 tonnes of food waste to a Midland-area composting facility.

I congratulate the administrator, Mr Ken Warden, and staff of Orillia Soldiers' Memorial Hospital, and Keith Marshall, the city's landfill manager and a member of the

hospital waste diversion committee, for a job well done. By diverting waste from scarce landfill sites, they're saving taxpayers millions of dollars and extending the life of landfill sites, which are costly to replace.

## PUBLIC HOUSING

**Mr Rosario Marchese (Fort York):** I rise today to bring exciting news to the Legislature. It concerns an experiment in public housing in my riding of Fort York that will serve as a model for all tenants in Ontario Housing Corp communities.

Here in downtown Toronto, the Alexandra Park Residents Association is taking the first steps towards what it hopes will be the first conversion of public housing in Canada to cooperative self-management.

It's an historic occasion, and I'd like to welcome to the Legislature the tenant leaders who have begun this very difficult process: Sonny Atkinson, president of the residents' association, and members of the co-op conversion steering committee which I'm also happy to be a member of: Monica Cottle, Manuel Da Rosa, Oscar Diaz and Jenny Palacios. I'd also like to recognize the work of two residents who couldn't be here today, Irwin Downs and Annette Dewar.

Working together with me, the tenants have secured a \$40,000 grant from the Metro Toronto Housing Authority to conduct community outreach and education about cooperative housing which will lead to a tenant referendum on co-op conversion next spring. Just last Friday, at its most recent board meeting, the Ontario Housing Corp designated Alexandra Park as one of two demonstration projects in Ontario for the purpose of exploring tenant self-management.

Next week, the Alexandra Park Residents Association will meet the Housing minister, Richard Allen, to discuss the progress of their work. I'm pleased that he is supporting their efforts and I know all members of the Legislature will join me in congratulating these tenants on their historic move towards self-management.

## CO-OP EDUCATION

**Mrs Barbara Sullivan (Halton Centre):** Today, seated in the members' gallery are two co-op education students from Burlington, Matthew Psutka and Lisa Erkelens. These two young people are working in my constituency office for their first semester to gain work experience and an understanding of what a member of the provincial Parliament does.

Lisa, Matthew and other students placed in my office by the Halton Board of Education have contributed to the work setting and have gained an understanding of the political process, and many of those who have been in my office in the past are now in university considering a career in politics. One indeed may some day sit in this



Legislature as a member. They've learned that an MPP is not only a legislator, but an advocate for those who have nowhere else to turn as they work their way through the system.

Co-op education in Ontario has been in place for approximately 20 years, and its underlying principles are to offer a learning experience in a community work setting and give students the opportunity to investigate what may become their chosen career. In today's changing work environment, young people need an opportunity to experience a workplace as they make decisions about post-secondary options.

Too often, we hear only bad news about education and about our youth. Today I can tell you that we should concentrate on the positives like young people such as Matthew and Lisa. Welcome to the Legislature.

#### JUSTICE SYSTEM

**Mr Cameron Jackson (Burlington South):** The recent proposal to the NDP government by the Harriet Tubman Association, currently being considered by the Attorney General, Marion Boyd, for a separate justice system for Ontarians on the basis of race has been rightly met with strong criticism from legal and victims' rights advocates.

According to crown prosecutor Michael Leshner: "This is human rights gone amok...when you start treating one group favourably...then you are dealing unfairly with everyone else's rights. That road leads to the destruction of the criminal justice system." Mr Leshner also noted that he and other crown prosecutors would be in violation of their oath to treat everyone equally before the law. As lawyer Thora Espinet said on behalf of many in the black community, "I don't want different treatment; I want equal treatment."

But according to Dick Barnhorst, director of Ontario's office of youth justice of the Attorney General's ministry, the idea of a separate justice system on the basis of race "would not be unreasonable." Victims of crime, however, say that he and Marion Boyd are wrong.

What is unreasonable is Marion Boyd's refusal to support victims' rights legislation that would give victims treatment in the justice system that is at least equal to that given to criminals. What is unreasonable is for the Attorney General to even consider assisting a group of offenders by establishing a separate judiciary for them while thwarting the necessary justice reforms that would prevent the revictimization of crime victims under the existing system.

It is time for the rhetoric on separate justice for offenders to stop and for the reform of our justice system in the interests of victims to finally begin in Ontario.

1340

#### SPADINA SUBWAY

**Mr Anthony Perruzza (Downsview):** I was disappointed when Metro council stalled again on its approval of the Spadina subway extension to York University. Many Metro councillors are determined to deny our community this subway line, even though their own chief administrative officer recommended the subway as a first priority.

For too many years, northwest Metro has suffered under past Liberal and Conservative government neglect, and our community has gotten very few improvements. Our NDP government must not allow this to happen again. We must ensure that investments are made fairly across all communities.

We need this subway line, which will create tens of thousands of jobs directly and many more indirectly. It will greatly improve public transportation in northwest Metro in an environmentally friendly way. This subway will serve nearly 60,000 students and staff who attend York University daily. It will serve the new Seneca College campus at York, with an additional population of 5,000, and reduce traffic on our streets.

This investment must happen. It will revitalize local businesses and I venture to say eventually even return a profit to the TTC, as does the Yonge Street subway.

Metro is going to be considering this issue again very early in the new year. I encourage all members of this House to lobby their Metro counterparts to ensure that they come on board with the construction of the subway, but if this does not happen, then I urge this government to do it alone.

#### LONG-TERM-CARE REFORM

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I bring to the attention of the House today another abuse of power by this NDP government.

Kathy Kennedy, the chair of the homemaker advisory committee for the Kingston and district branch of the Red Cross, decided to exercise her democratic right to share her views with others in her community on Bill 173, the long-term-care bill. She wrote a letter to the editor of the Kingston Whig-Standard.

The chief government whip, the member for Frontenac-Addington, responded in the same publication with a scathing personal attack on Ms Kennedy, accusing her of bias and misrepresentation. Ms Kennedy is correctly outraged by this member's attack. She responds:

"I am totally disgusted and shocked that Mr Wilson would have the audacity to so blatantly denigrate the immeasurable time and commitment that I and countless other volunteers dedicate to serving their communities.

"How dare Fred Wilson assume that he is free to abuse the power that the electorate of this community has given him!

"After agreeing to attend a meeting in October to discuss Bill 173, Fred Wilson...failed to show up.... To whom is Mr Wilson accountable?"

I place the question: Is the member for Frontenac-Addington simply continuing the Martel, the Ferguson, the Piper, the Christopherson, the NDP tradition of bullying anyone who disagrees with this NDP government?

#### NDP AUCTION

**Mr Chris Stockwell (Etobicoke West):** From our home office in Wawa, Ontario, we have the top 10 items auctioned off at the Hamilton NDP convention:

The 10th item was their principles, which were sold for \$49.99 plus 3,000 Club Z points.

Number 9, lunch with Bob Rae for \$25; two lunches for \$15.

Number 8, the Agenda for People. No one bought it.

Number 7, a copy of the NDP-Liberal accord so Lyn McLeod would have something to run on.

Number 6, the highest-selling item, Mel Swart's motion for Bob Rae's resignation.

Number 5, afternoon lessons from Bob Rae on how to chain yourself to a tree.

Number 4, Bob Rae's human rights speech that was given in China.

Number 3, a copy of the social contract, which was bought. It was marked down by 5%, I might add.

Number 2, tips on garage sales for NDP MPPs after the 1995 general election.

And the number 1 item that was auctioned off at the NDP convention in Hamilton was their sense of humour.

#### LEADER OF THE THIRD PARTY

**Mr Gilles Bisson (Cochrane South):** Yesterday, November 21, both the Toronto Star and the Globe and Mail featured stories about the new and improved Mike Harris. They described the desperate efforts on the part of Mr Harris's American handlers to remake his image. We are supposed to believe that the new Mike is a kind and gentle caring kind of Mike: He walks his little dog; he goes swimming in the old swimming hole.

This is all very sweet except for one thing: The very same newspapers plus the Toronto Sun carry other articles about Mike Harris, about the real Mike Harris. The real Mike Harris is the same old Chainsaw Mike who would slash 20%, or roughly \$11 billion, from the provincial budget.

Chainsaw Mike would take most of the seats of this Legislature away from rural Ontario, including the north.

Chainsaw Mike would slash welfare benefits for the poorest of Ontarians by approximately 20%, taking the food from the mouths of babies, my God.

Chainsaw Mike's views on immigration are well known and they are repugnant.

Chainsaw Mike says native people in Ontario have no business worrying about treaty rights and land claims.

To cap it all off, Chainsaw Mike and his gang held a convention this weekend. With their behaviour, it was amazing. The highlight seems to have been a videotape made by an imposter camera crew. Quoting the Globe and Mail, the phoney camera crew doctored television clips broadcast by the Conservative convention in order to "poke fun at NDP leader Bob Rae by engineering the soundtrack to give him a stutter." Fun for the Mike Harris Conservatives is laughing at a person's speech defect.

It's obvious that the Conservatives have learned nothing from the disgraceful attempts in the last federal election to ridicule the facial expressions of Jean Chrétien, but the people of Ontario recognize just how—

**The Speaker (Hon David Warner):** The member's time has expired.

**Mr Bisson:** —mean-spirited and cruel and despicable it is to make fun of people's physical characteristics.

**Mr Frank Miclash (Kenora):** Mr Speaker, I have a point of order that I'd like to raise with the House. Yesterday, the new Minister of Northern Development and Mines complained about no questions being asked in the House. I must say that he is wrong and I must ask him to get back to his staff, because on September 15 and 16, in the estimates committee, I presented 11 pages of questions to the Minister of Northern Development and Mines—of course, the previous minister.

I would just like the new minister to get back to those 11 pages of questions regarding northern health travel grants, the mining industry, highway conditions in the north and all kinds of issues that really affect people in northern Ontario. I would really like the new minister to get on with those 11 pages.

**The Speaker:** The member for Kenora will know that he does not have a point of order. However, he has brought matters of great interest to the floor of the House.

#### ORAL QUESTIONS

##### PHOTO-RADAR

**Mrs Lyn McLeod (Leader of the Opposition):** Mr Speaker, before placing my first question, my first question was to the Minister of Transportation. We expect him to be in the House; is he—

**Mr James J. Bradley (St Catharines):** Here he is, yes.

**Mrs McLeod:** Oh, good. If I may just wait for a moment, Mr Speaker, while the minister takes his place, so that I can direct my first question to the Minister of Transportation.

**The Speaker (Hon David Warner):** You might wish to stand down your first question and—

**Mr Bradley:** There he is.

**Mrs McLeod:** Shall I place it now?

**The Speaker:** Could we restart the clock, please. It's a full 60 minutes.

**Mrs McLeod:** As I indicated, my first question is for the Minister of Transportation. Minister, I have a letter here from the chairman of the region of Peel which was sent to the Premier; you may be aware of the letter. The chairman is concerned that while you are raking in all of the revenues from photo-radar, the municipalities across this province are going to be left holding the bill for the increased court costs of the new system.

I would ask you, Minister, if you will tell us whether or not you have any estimate of how much the new photo-radar court system is likely to cost the municipalities and the municipal taxpayers of this province.

**Hon Mike Farnan (Minister of Transportation):** I welcome the question from the leader. Of course, I know that the leader and her party support the government in our desire to have the safest roads in North America.

Clearly, this government would be happy if we didn't raise one single dollar in revenue from photo-radar, because that would mean that the program was working perfectly and we would have a greater degree of safety on our roads.

But let me say to the member that we have indeed the



understanding that the program is working and that people are reducing speed.

The program is also under review and I have consistently stated, as has my predecessor, that when that analysis takes place we will be happy to give all of the information to the opposition parties and to the public as to what the success of this program is. But let me point out that success does not come in dollars; it comes in safety, saved lives and the best safety record in North America.

1350

**Mrs McLeod:** I'm not sure whether the minister is telling me that there are no revenues from photo-radar or that there are no increased court costs and no costs for the municipalities or whether he simply misunderstood the question.

The question was in reference to a letter from the chairman of the region of Peel who is concerned that there are going to be increased court costs—and there is a new court system that you propose as part of your photo-radar system—and that those costs are going to be borne by the municipalities and therefore by the property taxpayers.

It has been made quite clear to the police services board of Peel region that the issue is an unresolved one and one of concern to them. I quote from the letter, "The board was informed that it is still unresolved as to which agency will be responsible for the full administrative costs associated with processing photo-radar tickets." Clearly what this board was told was that if the province isn't prepared to fund the additional costs of the court system, the municipal taxpayer is going to have to foot the bill.

Minister, perhaps you could just make a commitment today in this House to the municipalities that the implementation of your new photo-radar system is not going to create any additional costs for municipalities and municipal taxpayers. Just give them that commitment and we don't need to pursue the issue any further.

**Hon Mr Farnan:** Let me try and be very simple in answering the Leader of the Opposition. When you do an analysis, you don't make decisions before you have the results of the analysis. We have implemented a program. We have said we will study the results of that program. We will look at all the implications of the program. We'll get feedback from all of the people involved, including the municipalities, and we will weigh very, very carefully how this impacts on all levels. Then we will make decisions.

Usually, I would say to the Leader of the Opposition, good decisions are based on information, statistical data that are evaluated, analysed. When we have that, we will make those good decisions. We don't, like you, make decisions on the fly.

**Mrs McLeod:** This is not a question about the effectiveness of photo-radar. I can assure you that there will be a lot of debate on the effectiveness of photo-radar in time to come. The question is about who is getting the revenues from the new system and who is bearing the costs of the new system. The municipality of Peel region

is very concerned that the municipalities are going to have to pay the costs of a system that you've put in place.

It has one word to describe it, Minister, and that's "downloading." You could understand why the municipalities are concerned about any further downloading from this provincial government: They've seen enough of it already.

Let me again quote from the letter. This is not a concern we're raising in isolation. The letter from the Peel chairman says:

"I would...suggest it is incumbent upon your government to fully fund any additional expenses associated with this provincial initiative. To do otherwise would be to 'download' the increased court costs for this revenue-generating program on to those local municipalities that have provincial courts in their jurisdiction."

Municipalities are still angry about having to pay for the cost of a unilateral decision that this government made to dump \$18 million in supplementary assessment costs on to their backs. This could be potentially millions of more dollars in downloading on to the municipalities. How can you justify even considering downloading the new costs for your system on to the municipalities while you keep all the revenues?

**Hon Mr Farnan:** When will the Leader of the Opposition cease to be a nitpicker and look at the big picture? The big picture is that we want safety on our roads. We want the safest roads in North America. Let me say that we welcome partnership. We want to work with the municipal partners. We want to have that dialogue. I give the assurance to this House today that I will speak with our municipal partners. I will discuss the issues. But I invite them to support a partnership which says, "We want safety on our roads."

We are not interested, believe me, in revenue. We are seriously interested in looking at a day when we can say, "Revenues are minimal because we have reduced deaths, we have reduced accidents, we've saved medical health costs and we have the safest roads in North America." We want the Liberal Party to join us in this challenge.

**The Speaker:** New question.

**Mrs McLeod:** I'm sure the chairman of the region of Peel would be happy to cooperate with the government after the minister tells him his concern is nitpicking.

#### PUBLIC SAFETY

**Mrs Lyn McLeod (Leader of the Opposition):** My second question is to the Solicitor General. I believe this question is appropriately directed to the Solicitor General; if not, I'm sure he will refer it.

The minister will recall that it was more than three weeks ago, when the sitting began, that the government made a commitment to take prompt action to bring in legislation that would regulate after-hours clubs. It is now three weeks later. As I understand it, Thursday is the deadline for introducing legislation which can be considered during this session.

We have seen that this situation is becoming even more urgent because last weekend there was an incident at an after-hours club, this time in Hamilton. There was

a stabbing in an after-hours club in Hamilton.

I believe that time is running out. This government promised action three weeks ago. There has been another violent incident, and yet we have still not seen the legislation. You've got two days left to keep the promise that was made. I would ask the minister, are you going to introduce legislation within the next two days?

**Hon David Christopherson (Solicitor General and Minister of Correctional Services):** At the time the question was first raised in the House, the Premier advised that this was a matter of considerable priority for the government and asked me to head up a work group within the government to provide a package of responses that would assist all those who have responsibility in this area and those who would like more responsibility to take effective action, and he committed that it would happen this session.

Indeed, Thursday is the deadline for the introduction of legislation and, yes, legislation will be introduced within those time lines.

**Mrs McLeod:** I am pleased to have the minister's assurance that we will be seeing that legislation within the next two days.

I would also like, because again time is growing very short, some assurances from the minister that he understands that this is not a Toronto-only problem. There have been incidents, as he's well aware, at after-hours clubs in London and now, as we have seen, in Hamilton.

Will the minister assure the House today that the legislation that's to be introduced will give all municipalities the ability to regulate after-hours clubs?

**Hon Mr Christopherson:** The Premier made it very clear when he asked us to ensure that we responded to his commitment in the House that indeed it was province-wide and not just focused on one particular area, and that is the way the response is framed.

**Mrs McLeod:** One of the reasons I raise the question today and why we're concerned that three weeks have passed since the original commitment was made to introduce this legislation is that we are truly concerned that there may not be time for adequate debate and discussion of the legislation.

When we called on the government to act on this matter, we indicated that our caucus was ready to cooperate with the government in bringing forward legislation. But we also wanted to be sure that we could get the bill right, and that's why we called for the bill to go into committee.

I think there are some legitimate concerns that will have to be addressed as this bill is presented. We want, for example, to ensure that the legislation focuses squarely on violence in after-hours clubs. We want to make sure the legislation does not affect other late-night businesses.

So I would ask you, what provisions have you made to ensure that there is going to be room for adequate debate on this legislation in the House and what provisions have you made to ensure that there's time for consultation with municipalities and with other concerned businesses? Can you assure us that the issues that I've indicated as examples of our concerns today are going to be addressed

and that the legislation can still be on the books by the end of this session?

**Hon Mr Christopherson:** As the honourable member knows, this matter was not new entirely when she asked the question. Our own colleague the member for Fort York had a proposed bill in the House that attempted to deal with this problem that he had in his community that affected Metropolitan Toronto, and indeed we've since broadened the scope.

I would say to the honourable member that in terms of the amount of time, I really would defer to the government House leader, in concert with his counterparts in your party and in the third party, to address that. I'm not equipped to do so.

I will say that although it's been a very short period of time, this has been an absolute priority for us. We've been working at it every day, putting together all the pieces. The honourable member will know that it's very complex. It deals with a lot of different pieces of legislation, and a lot of the legal considerations that she well knows about had to be taken into account.

It has been difficult to make it a long consultation process, but certainly we have not done this in the absence of input and consultation with municipal leaders, with AMO, with police and all of the other stakeholders. I grant you it's not as wide a consultation as we all normally like, but enough that we've been able to hear their concerns and their suggestions.

I think that when you see the package, you and others in the House and in the province will agree that we have here a measure that will go a long way in addressing this very serious public safety issue.

1400

#### JUSTICE SYSTEM

**Mr Michael D. Harris (Nipissing):** My question is to the Premier. I have here a copy of a judgement by Mr Justice Wren of the Ontario Court (General Division) in the case of *Regina v Callan*. This judgement was issued this morning. It deals with an application argued successfully by the accused to have charges against him for date rape stayed because he was not tried within a reasonable amount of time.

Premier, what this means is that this individual charged with date rape will never come to trial and justice will never be served simply because there was not a courtroom available. How did this happen?

**Hon Bob Rae (Premier and Minister of Intergovernmental Affairs):** I would first of all appreciate it if the honourable member would, as he would in the normal course of events, send me over a copy of the judgement, since he's quoting from the judgement. I would appreciate it if he could make that available to me. I think that's the least to which I'm entitled, just as a matter of basic courtesy.

I can only say to the honourable member that obviously we will take his question as well as the judgement of Mr Justice Wren, or Judge Wren, as notice. I can only say to the honourable member that given that this judgement will in all likelihood or could well be subject to the possibility of appeal, he will know as well as I do that for



me to comment on the particular decision is inappropriate. I can't do it. I don't have the luxury of doing it. He may feel that he does, but I'm afraid that as Premier I don't.

I would simply say to him that as a result of the so-called Askov decision, which was the product of a previous set of problems, the government acted swiftly in order to ensure speedier trials. What I would say to the honourable member is that obviously I'll be discussing this judgement with the Attorney General as well as with others.

**Mr Charles Harnick (Willowdale):** It's happening again, Bob. It's happening again.

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** You'd cut back 20%.

**Hon Mr Rae:** I would just make one personal observation, and that is that I'm very familiar personally with the circumstances surrounding delays in dealing with court cases, very familiar on a personal basis. I can assure the honourable member that obviously the crown and others will be responding to any reasons for judgement given by Judge Wren.

**Mr Harris:** I've just sent over the judgement. I'm surprised you don't have a copy of it, given the seriousness and what this means and the forewarning you ought to have had, that we have all had, that it's happening again.

On page 8 of the judgement it says: "The delay is virtually all institutional. There have been five trial dates set, the last three peremptory, and both sides were prepared to proceed on each occasion to no avail,"—

**Hon Mr Wildman:** What will happen when you cut back 20%?

**Mr Harris:** —ie, the defence was not responsible for this delay. The judge states, "The offence, on the allegations, is serious, involving forced intercourse in a situation where the parties knew each other."

Premier, the only issue at trial was consent. The offence took place on May 23, 1992. The first trial date that was made available was April 1995, nearly three years later, even though the judge also said this was a relatively simple case.

It has been four years since the Askov decision which warned you that unacceptable delays would result in cases being thrown out of court. Four years later, how is this being allowed to happen?

**Hon Mr Rae:** I can only say to the honourable member that as a result of the Askov decision, major institutional decisions were made by this government with respect to the administration of justice.

**Mr Harnick:** You're still failing.

**Hon Mr Wildman:** You would cut back 20%.

**Hon Mr Rae:** Very significant increases were put into place, significant numbers of new judges were appointed, significant numbers of new courtroom cases have been announced.

I would say to the honourable member, there is a basic rule of parliamentary practice and that is that given, as

I've told the honourable member, the very real possibility that in these circumstances the crown may very well decide to appeal the reasons for judgement given by Judge Wren, it is literally impossible for me to say anything more about this particular case except to respond in general to the honourable member by saying that excessive delays are unacceptable to this government, they're unacceptable to the citizens of the province.

Where there are circumstances which lead to delays, any government has a responsibility to deal with them, as we have done in the Askov case and, I can assure the honourable member, as we will do in any other cases which are brought to our attention.

**Mr Harris:** First of all, I want to state that I take offence at heckling on a question on date rape. Second, I don't think it behooves the Premier to defend the record of the government, when you had the Askov warning four years ago.

Furthermore, we recently met with the Criminal Lawyers' Association of Ontario; I assume you meet with them too. They told us there were many cases in the system on the brink of being thrown out because of unacceptable delays. These are not minor cases. These are ones before Ontario's high court.

Premier, today we saw the first of these cases. How many more victims are going to be denied justice over the next few months because your government has failed to manage Ontario's justice system?

**Hon Mr Rae:** I can only say to the honourable member, we are determined to make sure that cases are heard in a fair and effective manner, and we are all of the view that justice delayed is justice denied. We all share that view, which is a very basic rule with respect to the justice system.

**Mr Harnick:** What have you been doing for the last four years?

**Hon Mr Rae:** We have expanded substantially—I say to the member for Willowdale, if it's wrong for someone on one side to heckle, then I would hope that the leader of the third party would say—

**Mr Harnick:** It's a tragedy.

**Hon Mr Rae:** Well, the member from the third party is heckling me again. I take this question just as seriously as the leader of the third party does, and I want to say to him, we have expanded substantially the resources available to the justice system. We have increased substantially the resources that are available for dealing with trials.

I will say to the honourable member that I can't comment on this individual case because of the prospects for an appeal and because I'm sure the crown will have some views with respect to Judge Wren's judgement as it has been expressed.

I'm not going to express my views on this subject except to say that it is obviously unacceptable in this province for there to be any situation where trials are being delayed to the point where the cases are not being heard.

That is unacceptable to me. I know it's unacceptable to you. It's unacceptable to this government, and it's a

situation that we have been dealing with and we will continue to deal with.

**The Speaker:** New question.

**Mr Harris:** Obviously not effectively enough, Premier.

#### DRINKING AND DRIVING

**Mr Michael D. Harris (Nipissing):** My second question as well is to the Premier. Yesterday in this House the member for Mississauga South introduced a private member's bill to get tough with drunk drivers. Your Attorney General so far has refused to proceed with this bill aimed at cracking down on the 81% of all highway deaths that are caused by drunk drivers.

Premier, given the seriousness of this issue, given the potential of the member's legislation to prevent tragedy from occurring, will you give your party's support to proceeding with this bill before we recess next month?

**Hon Bob Rae (Premier and Minister of Intergovernmental Affairs):** I know this was the subject of discussion yesterday. I would say to the leader of the third party, we have already done a great deal in this area, and we realize and recognize that there is more to be done.

There are some constitutional concerns that I know have to be dealt with and understood, but I would say to the honourable member that I would hope the House leaders and others could discuss the nature of the member's bill, whether the member would entertain any amendments with respect to the bill she has put forward in her name, and whether it is possible by means of a discussion among the three parties for us to reach a conclusion.

1410

I happen to believe that in matters of this kind, which are not really partisan matters—they're matters in which, for example on graduated licensing, we worked on a very consensual basis. The committee held hearings throughout the province. It was a very productive process and resulted in, I think, a substantial improvement in the law.

Without giving my blanket endorsement to the bill, because I've learned enough to know that's a little unwise, I can say to the honourable member that because of the respect I have for members opposite and for their good faith in matters of this kind, it's certainly something we're prepared to discuss and that I would hope the members of the official opposition would be prepared to look at as well as we discuss the steps that can be taken in this area.

It's an area in which I've taken considerable personal interest, for reasons that are quite obvious, and I will continue to take a considerable interest in this area. If we can move the yardsticks forward together on a basis that can be done speedily and quickly, then let's do it.

**Mr Harris:** I appreciate the Premier's comments and I appreciate that he believes, like I believe, this ought to be proceeded with in a non-partisan way. It is in that spirit that I want to ask you about what happened yesterday.

The Attorney General said, and this was in response to a question, "We made a conscious decision that for some

of the changes in licensing that would be required under" Mrs Marland's bill and the proposals that she made for an automatic suspension, for example, "until trial for drunk drivers" has proceeded, "We needed the opportunity to see the effect of some of these other areas of licence change, particularly the graduated licence"—ie, "No, we won't proceed."

**Hon Mr Rae:** No.

**Mr Harris:** That's what she said in the House, Premier. These are the quotes.

**Hon Mr Rae:** I agree with you. Read all of it.

**Mr Harris:** Outside the House she said this: "I'm really hopeful we'll be able to get the Legislature of Ontario to consider the 90-day suspension." Inside the House, "No, Mrs Marland"; outside the House, "I'm hopeful we can get the Legislature to consider it."

Given that inconsistency, what is the position of your Attorney General? Is she willing to proceed in a non-partisan way or is it one thing inside the House and then, in front of the TV cameras outside, something else?

**Hon Mr Rae:** I would say to the leader of the third party that I object to his characterization of the exchange yesterday, which I was not present for but which I have had an opportunity to read. For him to take the words "We needed the opportunity to see the effect of some of these other areas of licence change, particularly the graduated licence" as saying no, and say that was her response, I would say is a bit of a reach and a reach that I think takes the leader of the third party into the realm of the truly inaccurate.

What I would say to the member opposite is this, to give the answer that I gave before, and that is: So far as I'm aware, the member for Mississauga South's bill is not yet printed. If it's printed already, then I stand to be corrected. My understanding is that it was introduced yesterday and it hasn't been printed yet. I look forward to seeing it when it's printed.

**Mrs Margaret Marland (Mississauga South):** Bill 195.

**Hon Mr Rae:** When it is printed, Margaret, we'll have a look at it. I will look at it, we'll all look at it—

**Mr Steven W. Mahoney (Mississauga West):** Thanks, Bob.

**Hon Mr Rae:** Thank you, Steve.

We'll deal with it effectively and we'll deal with it on a basis that is not partisan.

I can say to the honourable member, I don't think there's a member in this House who is not interested in dealing with issues of traffic safety and with saving lives and with the problem of drunkenness as it relates to driving. We're all interested in dealing with this question.

**The Speaker (Hon David Warner):** Could the Premier conclude his reply, please.

**Hon Mr Rae:** If there's a practical way in which we can move the yardsticks forward quickly, let's do it. However, I do think we have to have the opportunity to see the bill and to see whether there are some changes that are going to be required to make it stand the test of appeals to the courts.



**Mr Harris:** I think it's fair for me to point out what I thought was partisan politics, saying one thing in the House and one thing outside. I accept the Premier's commitment that this is not his intent. As the Legislature would know and I know all members would be interested in knowing, without heckling, there were 30,000 drunk driving convictions in 1992; 59% were repeat offenders; in 1992, 353 Ontarians dead from drunk driving.

Had that been a plane accident in one fell swoop, it would have been a national tragedy. Because it was spread out, somehow or other it hasn't received the action that it needs. It is time for tough action. I believe there will be non-partisan, full support for Ms Marland's bill. My commitment to you—and I hope that it can be printed for cabinet tomorrow—is we'll make copies available for your cabinet meeting tomorrow, because I think it will take that kind of action if we're going to proceed before the end of the session.

If we're going to do that, I want to acknowledge and accept the Premier's commitment to go forward, and quite frankly there really isn't a further supplementary required.

**Hon Mr Rae:** Since the honourable member made a speech, perhaps I can be given the same opportunity, and simply say to him that anything we can do that's constructive and that has a degree of consensus within the House is something that we're certainly prepared to look at. I would hope that House leaders would be in a position to do that.

I haven't seen all the features of the bill. There may be some problems that are raised by legislative counsel as well as by others with respect to some of the implications, the extent to which the bill as it is worded will stand the test of a constitutional challenge and other challenges which we have to deal with in this day of the Charter of Rights.

But I can say to the honourable member quite categorically that this is an area in which the government has continued to take a real leadership role in which we recognize the impact of the toll on our highways. Many of us have been affected by these issues personally, and I can assure the honourable member that this is not an issue which I take lightly and if there's something we can do on a constructive basis, we will do it.

#### CHARITABLE GAMING

**Mr Carman McClelland (Brampton North):** To the Minister of Consumer and Commercial Relations: Minister, could you please advise this house how many charitable gaming licences have been issued since October 1993 and how many of those licences were issued pursuant to an investigation—or in other words, following an investigation—of the application and the applicants?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** No, I don't have those numbers in front of me. If he has them, perhaps he could send them over. I'd be glad to follow up in the supplementary, because I don't quite know what he's getting at here.

**Mr McClelland:** What I'm getting at is the following, Minister: In point of fact, in the last year you have issued between 40 and 45 new licences. Last October, from

existing charitable gaming operators, you collected an application fee of \$10,000 randomly from a number of operators. No investigations have been made; none whatsoever. You have only now lately been collecting application fees from offshore companies. There is no investigation in terms of ownership. There is a percentage threshold whereby applicants need not disclose who is in fact owning the company. We know the charities are not receiving the funds that they expect. We know that there are bad operators.

Millions and millions of dollars are being spent in charitable operations, Minister. You have promised now for month upon month upon month that you were going to clean up charitable gaming in the province of Ontario. You have failed to do so. You have collected, as I say again, \$10,000 fees randomly, and have done nothing but issue countless licences. You don't know who is operating; you have no background in terms of the ownership.

Minister, when are you going to address charitable gaming and clean it up and protect charities, the reputable operators, and the public who in good faith contribute to charities in this regard?

**Hon Ms Churley:** What I can say to the member, and I'd like to be able to get back more specifically to him on his specific question, is that when we came into office, the charitable gaming situation really was a mess. They were not regulated in any way. The operators and the providers, the people who provide the equipment to the charities, were not in fact regulated in any way. We have changed that. As the member knows, we brought in the Gaming Services Act and we have a new Gaming Control Act, and we've cleaned up the system quite a bit. There is a large influx of staff. There is investigation going on. There are regulations going on.

We have been doing a tremendous amount in terms of making sure that the money that should go to the charities is going to the charities, because before we brought in this new act, this sector was not regulated in any way whatsoever. They are being regulated now by this government, and if there are any problems left, we will certainly be dealing with them.

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#### PICKERING AIRPORT LAND

**Mr Michael D. Harris (Nipissing):** My question is to the Minister of Environment. Yesterday the mayor of Pickering revealed that your government was spending over \$1.8 million on two planning processes in the Pickering area for projects on the same site. One is for a dump and one is for a housing development. Minister, why would you waste time and money on two clearly incompatible projects on the very same piece of property?

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** The member refers to a statement made by the mayor of Pickering which was not completely correct. The costs that were alluded to by the mayor were not accurate. Since the previous government announced the Seaton community with no plan in place, the government has actually spent under \$2.5 million over five years on extensive feasibility studies for the area and this year it

is estimated that it will spend under \$700,000, not the \$1.8 million the mayor claimed would be spent this year. So the figures were not completely accurate.

The fact is that the previous government made an announcement regarding Seaton and a commitment without having carried out the required studies, and we are determined that we will not proceed with such a project without ensuring that there is accurate study done to determine whether the project should go ahead, and if so, how it should go ahead. The mayor of Pickering is part of an advisory committee that is involved in this study and he is fully aware of all of this.

**Mr Harris:** I guess the defence is, "Yes, we're wasting the money, and yes, the left arm doesn't know what the right arm is doing." One minister doesn't know what the other's doing, but we're going to argue about how many millions that we're actually wasting. You're wasting millions of dollars. Quite frankly, you're wasting millions of dollars on the whole GTA garbage crisis trying to find a solution and you're no closer. The Interim Waste Authority has been an unmitigated disaster and still is. The most recent fiasco on the Seaton housing lands just further proves it: that the left hand doesn't know what the right is doing.

Minister, tonight I am meeting with concerned residents in the York region to listen to their concerns about your ill-conceived and narrow approach to the GTA garbage crisis, and I intend to tell them as I have told other communities in the GTA that my party will scrap Bill 143, we will disband the IWA and we will consider all waste management options.

Since an election is only months away, since you're now down to a matter of weeks that many of your members are going to be able to sit there and heckle, why won't you do what we say we are going to do? Why don't you do it today and stop the millions of dollars of waste that are going not only in Seaton, but in the whole interim waste management authority and in this crisis in garbage, and the dollars that are going to it? Why don't you proceed now and scrap it, just wash your hands of it and wait until an election and we can get on with solutions?

**Hon Mr Wildman:** I'm not certain that is a supplementary question. The first question dealt with Seaton; this is dealing with the IWA. In a very lengthy statement the member uses terms such as waste and the left hand not knowing what the right hand is doing.

Surely it would indeed be a waste of effort and investment if we were to do as he suggests and to scrap the IWA process after this point in time when we have just gotten to the point where we are beginning the full environmental assessments with regard to a set of landfill sites which are indeed needed and will probably be found to be needed.

The member also indicates that we should not be planning for Seaton; that we should in fact, I guess, go ahead with the Seaton development without doing any studies, and not spend any money on environmental considerations and planning to determine where the roads might be if the project goes ahead, where the housing might be, where the industrial sites might be. The

member would like to go ahead. Perhaps the member would like to even establish housing where a landfill site might be located because he doesn't think they should be doing any planning.

**Mr Jim Wiseman (Durham West):** My question is also to the Minister of Environment and Energy. In 1972, the Tory party at the time expropriated some 23,000 acres of land in North Pickering. They didn't know what they were going to do with it. They came forward with some plans that were later cancelled. They put the whole area into turmoil by expropriating people's homes. The Liberal government that followed wanted to cover all of this land in 7,000 acres of urban sprawl and increased taxes in a huge way.

My question has to do with the process under which the planning in this area is going ahead. We should remember that Ataratiri cost the previous Liberal administration some \$300 million because it wasn't planned appropriately. Could you describe for this House and my constituents the process under which this planning is taking place and what the differences are between planning with New Democrats and planning with Liberals and Tories?

**Hon Mr Wildman:** I appreciate the interest of the member. He asked me what the difference is in planning under the New Democratic Party government and the Liberals and the Tories. Having listened to the leader of the third party's last question and his preamble, it's obvious that he doesn't believe in any kind of planning; he would like to scrap all attempts at planning.

With regard to the previous government, it approved Seaton without having done any planning. I suspect they may have wanted to do some planning afterwards, after the fact. We are currently involved in a process which will determine how we are going to proceed, and it is based on planning.

In September 1993 the Ministry of Housing established a community advisory committee called the Seaton Advisory Committee, which has local residents and municipal officials, including the mayor of Pickering, to decide whether a residential community should be built on the 7,000-acre site or not. That's the difference.

**Mr Wiseman:** Given the use of the word "feasibility" and also given that the Interim Waste Authority is in the process of assessing whether or not a landfill site should go into the Pickering area, my question is, is it possible that neither one of these things could happen?

**Hon Mr Wildman:** As the member knows, with regard to the landfill site, we are involved in an environmental assessment process. The Environmental Assessment Board will hear all of the evidence and make a decision based on the evidence, and it is conceivable that if the IWA has not been successful in presenting adequate evidence that the particular site is appropriate, the board would rule against it. It is quite possible that it would not go ahead.

It is also possible that the advisory committee on Seaton might determine that the project should not proceed. It is also possible that they might decide that it should, and if they decide it should, then they will have



to make recommendations on the size of the community, how it will be laid out, what the transportation systems will be and so on. All of this process will be done in as efficient and cost-effective a way as possible. It doesn't make sense to proceed on these things without having done the proper environmental studies.

1430

#### WORKERS' COMPENSATION

**Mr Steven W. Mahoney (Mississauga West):** In the absence of the Premier, I guess I'll direct my question to the Minister of Labour. Minister, even though your government is the largest advertiser in the entire province of Ontario, we can see that as a result of your being unable to get any good press you've decided to publish your own newspaper, the Ontario Star, modelled, quite curiously, on the same format as the Toronto Star; I wonder if it might have been printed there.

Minister, I've read this with some interest. In the Ontario Star you accuse me of attacking injured workers because I have said that the workers' compensation system should not be a social benefit program but rather an income replacement program for injured workers. Minister, you will know that this indeed was the original concept under Justice Meredith's report in 1914 for the workers' compensation system, that workers would give up their right to sue for injuries in a workplace, and in return employers would fund an insurance plan to replace their income and rehabilitate them.

Minister, you might be interested to know that last week, your members of the resources committee, the NDP members on that committee studying amendments to Bill 165, defeated a Liberal amendment that would have given injured workers a seat on the Workers' Compensation Board. They defeated it. Can you tell the people of Ontario who is really attacking injured workers? Explain to the injured workers in this province why the NDP is denying them representation on the Workers' Compensation Board.

**Hon Shirley Coppen (Minister of Labour):** I thank the member for showing the newspaper that was printed, but for the information of people listening to this question period right now, not one dollar of taxpayers' money went into the publication of that newspaper. First of all, let's get that clear.

Secondly, when the member is discussing Bill 165 and how he feels we are hurting injured workers, I would ask him to get on with it and let us get Bill 165 through so that we can help over 47,000 injured workers out in this province receive over \$200 a month which they have been waiting for for a long, long time. So get on with it and pass this bill. This government cares about people, and especially the injured people.

Your last question was, why was there not a seat on the board for injured workers? Through cooperation and discussion through all of the groups, there is a possibility that an injured worker may sit on the committee. But the most important thing is, let's get on with it, pass Bill 165 so that we can help injured workers in the province.

**Mr Mahoney:** This is the same old story: "Don't bother putting it in the bill. Trust us. We'll fix it later."

You know Bill 165 is going to be passed because your House leader has introduced a closure motion which will be debated today. You know that.

*Interjection.*

**Mr Mahoney:** He's instructed the committee, if the Minister of Municipal Affairs would take a Valium here—

**The Speaker (Hon David Warner):** Order.

**Mr Mahoney:** The House leader knows that he's even instructed the Chair of the committee that he can only allow one recess. That's how draconian this government is getting in relationship to closure with all of these bills.

Minister, my amendment at the committee said very simply this: "Four directors representative of workers, including one member of the Ontario Network of Injured Workers, to be appointed by the Lieutenant Governor in Council."

Your members of the committee, Minister, voted it down unanimously in a recorded vote. They should be ashamed of themselves, and if you're now telling this House that as the minister you are prepared to correct this injustice and ensure that the Ontario Network of Injured Workers has a place at the table, then say so now in this House, right here, today. Will you do that?

**Hon Mrs Coppen:** When I am asked by the opposition why I don't do something for the Workers' Compensation Board, why I don't do anything for injured workers, I point at you and say, what did you do for over 50 years? You tell me, since 1914, what did you do for them?

We're trying to help them, get them on to the road to recovery so that they will be back in the workplace, working in cooperation with business, getting workers back there, helping them out financially—as I said, 47,000 workers. Don't wave a finger at me. You tell me what you did in all of the time you were here, 1914 to 1994. It took a New Democratic government to make changes for injured workers in this province.

#### FOREST MANAGEMENT

**Mr Chris Hodgson (Victoria-Haliburton):** My question is to the Minister of Natural Resources. I understand the minister will be making an announcement this Thursday in Trenton about incentives for private forestry. He knows that this industry is of extreme importance to residents of rural Ontario, because of not only the tourism industry and the snowmobile clubs across central Ontario, but also the long-term sustainability of our forests in Ontario. He also knows that I've brought this measure before the House on numerous occasions.

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Hodgson:** Since the minister is taking this announcement down the road to Trenton to avoid the scrutiny of this House, I would like to ask him to shed some light on the nature of his announcement. What will it consist of? Does it incorporate any federal funds, like the multimillion-dollar eastern Quebec private woodlot program?

**Hon Howard Hampton (Minister of Natural Resources):** The member is quite right that private land forests are important in Ontario. Almost 12% of our forested land is in private hands, and some of that privately held land is very valuable in terms of having high-quality hardwoods that fetch a very good price in the markets. So we have been looking, over the past year, at approaches for a rational private land forestry policy for Ontario.

We have been handicapped somewhat by the fact that the federal government in Ottawa contributes \$65 million to private land forestry in the province of Quebec and nothing to private land forestry in Ontario. This is despite the fact that about 8% of Quebec's forested land is held in private hands and over 12% of Ontario's forested land is held in private hands.

We indicated at the recent federal-provincial ministers conference that we think this is unfair. We think the present federal government is being most unfair to Ontario, but to this point in time the federal government is deaf to Ontario and does not see anything unfair in the present relationship.

**Mr Hodgson:** I can appreciate the minister's hardship—

**Mr Gary Malkowski (York East):** On a point of order, Mr Speaker: On the comment about being deaf, I would ask that the honourable member please withdraw it. I find it unparliamentary.

**The Speaker:** The minister.

**Hon Mr Hampton:** The federal government is not listening to Ontario.

**Mr Hodgson:** I'm sure the minister will try to make the 98 Liberal MPs at Ottawa listen to the concerns of rural Ontario when we renegotiate with them on private forest lands. But I would like to just ask the minister, yesterday at the agricultural convention his colleague the Minister of Agriculture, Food and Rural Affairs took credit for not cancelling the agricultural land rebate. In fact, he met his expenditure control reduction targets without sacrificing a program that helped the people of rural Ontario.

Minister, last night at the debate the Premier again reiterated, like all opposition leaders, that we will not change or scrap the farm land rebate program.

My question is, regardless of whether the federal government has helped or not—I understand there's an unfairness, an inequity problem—why didn't his ministry follow the example of his colleague's ministry and reduce the amount of bureaucracy to meet his targets, as our plan calls for, instead of cancelling a program which affected the lives of people in rural Ontario and affected the economy?

I understand that he's taking the Minister of Agriculture, Food and Rural Affairs, along with the Minister of Culture, Tourism and Recreation, along with the parliamentary assistants, to Trenton. He recognized the importance of this, but why didn't he meet his expenditure control reduction targets the same way it was done in Agriculture, Food and Rural Affairs, without sacrificing a program that was essential?

**Hon Mr Hampton:** I'm sure the member would like to know that some of the entities in Ontario that were receiving the managed forest tax credit were in fact entities that were not really following sustainable forestry principles. They were simply using the system that was in place in the past as a means to get money from the government; in other words, as a subsidy from the taxpayers of the province.

It is clear to us that what we need to have is a system which has a very strong policy and education plank to it, as well as some financial incentives to it, as well as an opportunity to work with private sector partnerships in terms of sawmills, in terms of tourism organizations, in terms of snowmobiling organizations, so that we can do all these together. We believe that what we're working on has those components.

I would just say to the member opposite that we are doing this under very tight financial circumstances. As I read the so-called Common Sense Revolution, it would further reduce the budget of the Ministry of Natural Resources by 20%.

**The Speaker:** Could the minister conclude his reply, please.

**Hon Mr Hampton:** I would say to you that your plan would make it next to impossible to do any of this.

1440

#### FOREST INDUSTRY

**Mr Gilles Bisson (Cochrane South):** My question is to the Minister of Natural Resources. Mr Minister, everybody would know that over the last summer we were out on committee dealing with Bill 171, an act to deal with sustainable forestry in the province of Ontario. At the same time, and probably somewhat before that, the ministry undertook discussions through what was called the Carman exercise in regard to building a new business relationship with the forest industry.

I'm wondering if the minister can respond to some of the questions that I have been getting back home in the area of Timmins, Iroquois Falls, Matheson, in regard to the cost that this supposedly would or would not inflict on the forest industry in regard to those business relationships. Would it cost more money, less money or is it no different?

**Hon Howard Hampton (Minister of Natural Resources):** The member asks a very good question and a question which I think does require some public information. What we have done is to move away from a very inefficient system, which was very much the product of the former Liberal government, a system which the auditor had an opportunity to comment on last week and point out all the inefficiencies. We have moved now to a forest renewal trust fund system and a new stumpage fee.

The new stumpage fee is very much attached to market prices. As the market price of pulp moves up, the stumpage fee moves up. As the market price of lumber moves up, the stumpage fee moves up, and so on if the prices decline. So we are very much dealing in situations where private industry will be able to afford the stumpage fees.

As well, we've put in place a forest renewal trust fund



which will essentially provide that when wood is harvested, money must go into a trust fund to ensure its renewal and when renewal is accomplished, money will flow from the trust fund to cover those costs. In our view, this system is very much cost-neutral. The real winners in this system are the forests of Ontario.

**Mr Bisson:** I want to follow up on that, on two issues. The first one is that in regard to those companies that are out there now trying to negotiate and arrive at those new business relationships, what can we do as Ontarians to try to encourage that negotiation to take place and get it concluded to a successful end? The other issue is, what happens with the independent loggers out there in regard to the people cutting on crown units? What will we say to those people in regard to the new business relationship, and how would that affect them?

**Hon Mr Hampton:** The new sustainability agreements which we are signing we're signing first with the very large forest products companies, those companies that presently hold forest management agreements. To date, we have signed an almost \$6-million agreement with Rainy River Forest Products. We've signed agreements with Avenor and E.B. Eddy worth \$18.5 million, and with Green Forest of Chapleau and Kimberly-Clark of Terrace Bay worth almost \$9 million for the trust fund. So we intend to sign up all of the FMA holders, the large companies, this year before proceeding to deal with smaller operators and smaller order-in-council licences after January 1.

There will be a lot of opportunities for the smaller logging operations and smaller sawmilling companies to form a number of flexible arrangements. They may want to arrange some sort of co-op. They may want to expand the size of their orders in council and take on the responsibilities of an FMA holder. They may want to work in close partnership with the Ministry of Natural Resources—

**The Speaker:** Would the minister conclude his response, please.

**Hon Mr Hampton:** —but there will be a lot of flexible opportunities for small loggers, and I think they'll like the system very much.

#### NORTHERN HEALTH TRAVEL GRANTS

**Mr Frank Miclash (Kenora):** My question is to the Minister of Health. The minister will be well aware of the many serious problems that have been occurring in terms of the northern health travel grant system. I must say that I was somewhat encouraged back in February 1994 when there were some revisions and changes made to the program. However, eight months have now passed and what we've found out is that the government has only succeeded in making things worse and a much more bureaucratic mess of the entire system.

Minister, doctors, patients, even your own bureaucrats have told me that your solutions at that time have only indicated disaster and brought disaster to the program. My office is receiving hundreds of calls regarding the program and the nightmares and the so-called solutions that you came up with. Can you explain to the House the bureaucratic mess that your alleged reforms to the

northern health travel grant have created and how you plan on fixing this mess?

**Hon Ruth Grier (Minister of Health):** Mr Speaker, it will come as no surprise to you to know that I categorically reject the preamble to the member's question that our changes to the northern health travel grant have created, as he puts it, "a bureaucratic mess."

What our changes to the northern health travel grant have been about is making sure that citizens of northern communities get better service, and that as we work to improve the standards and the consistency of health care across northern Ontario, we lay the foundation for making sure that we have a better distribution of specialists and of general practitioners in communities all across the north. That's what we've been trying to do and that's the kind of pressure we've been responding to, by making changes in the northern health travel grant that would make sure people are referred to the specialist closest to where they live.

It may surprise the member and others to know that not always all good things reside in Toronto. There are sometimes, and there are, some first-class specialists in parts of northern Ontario who often have not been receiving enough patients in order to encourage them to remain in northern Ontario, or to allow the facilities there to recruit new specialists because the volume of patients isn't enough. So by encouraging people to use specialists in northern Ontario we can, over the long run, greatly enhance and strengthen the health care system for people in remote communities.

**Mr Miclash:** I know that not all good things reside in Toronto. I reside in northern Ontario; my leader resides in northern Ontario.

But Madam Minister, may I bring a specific case to you? Again, it reiterates the problems with this system. We have a Red Lake patient who was referred to an orthopaedic surgeon in Thunder Bay, who in turn suggested she see a neurosurgeon in Toronto. Even though the nearest neurosurgeon is in Winnipeg, the Thunder Bay specialist believes that it might be in the best interests of the patient to go directly to Toronto.

She understands that the minister will not pre-approve travel grants, and we found this out in many cases. However, the patient decided to go on and inquire about the likelihood of the success of her application to see the Toronto specialist directly, rather than travelling to Winnipeg first.

The response she received from the ministry was that in order to be covered for travel to Toronto, she would have to be referred by the Winnipeg specialist first. Thus, we warrant two trips, additional OHIP costs and, of course, additional northern health travel grant coverage and, again, to the patient, unnecessary time delays.

This is only one of a number of great examples of the archaic, bureaucratic system you have created and I want to know what your immediate plans are to address the concerns. Again, I receive many, many calls around this system from people, northerners, who are being denied the best possible health care that is due to them.

**Hon Mrs Grier:** Is there a specific case and a

specific problem? I'd be happy, if the member gives me details, to look into it. But I must say to him that the system receives on average 11,000 applications per month. We have established administration of the system in northern Ontario, in Sudbury. We believe we are dealing with the issues and the questions in a way that facilitates the needs of the residents of northern Ontario, and in a much better way than has been done in the past.

I do not deny that there may sometimes be glitches, or it may take too long to respond, but the initial referral is often the one that triggers how the case is dealt with, and in the case which he mentions, I would have to be sure that the initial referral had in fact all of the information at their fingertips before the referral was made, but if he will send me the details, I'll be happy to look into the specifics of that one.

1450

### PETITIONS

#### LONG-TERM-CARE REFORM

**Mr Hugh O'Neil (Quinte):** I've been asked to present this petition from residents of Peterborough, Nottawa, Collingwood, Stayner, Wasaga Beach and Barrie, and it reads:

"We, the undersigned, oppose Bill 173 as it now reads, feeling if it is not amended it will result in less service, more costly service, serious reduction of volunteer involvement and the inability of local communities to ensure our health-support needs will be met."

#### MENTAL HEALTH SERVICES

**Mr Tony Ruprecht (Parkdale):** I have a petition addressed to the assembly of Ontario and it reads:

"Whereas the NDP government is hell-bent on establishing a 20-bed forensic facility for the criminally insane at the Queen Street Mental Health Centre; and

"Whereas the nearby community is already home to the highest number of ex-psychiatric patients and social service organizations in hundreds of licensed and unlicensed rooming houses, group homes and crisis care facilities in all of Canada; and

"Whereas there are other neighbourhoods where the criminally insane could be assessed and treated; and

"Whereas no one was consulted—not the local residents and business community; not leaders of community organizations; not education and child care providers; and not even the NDP member of the provincial Parliament for Fort York;

"We, therefore, the undersigned residents and business owners of our community, urge the NDP government of Ontario to immediately stop all plans to accommodate the criminally insane in an expanded Queen Street Mental Health Centre until a public consultation process is completed."

I sign my name under this petition.

#### LONG-TERM-CARE REFORM

**Mr James J. Bradley (St Catharines):** This petition, which contains 312 names from people from St Catharines, Niagara-on-the-Lake, Niagara Falls, Welland, Thorold, Fonthill, Grimsby and Beamsville, reads:

"To the Honourable Bob Rae, Premier of Ontario, and

the Honourable Ruth Grier, Minister of Health of the province of Ontario:

"We, the undersigned, are concerned that Bill 173, if unamended, will mean less service, more costly service, a decrease in volunteers and the inability of local communities to ensure the long-term-care system meets their needs."

I agree with this petition and I affix my signature to it.

#### LAKEHEAD PSYCHIATRIC HOSPITAL

**Mr Larry O'Connor (Durham-York):** I've got a petition here to the Legislative Assembly of Ontario:

"Whereas the Thunder Bay District Health Council has recommended the closure of the Lakehead Psychiatric Hospital; and

"Whereas the Lakehead Psychiatric Hospital is the only provincial psychiatric hospital serving all of northwestern Ontario, from the Manitoba border to Sault Ste Marie; and

"Whereas the severely mentally ill that the Lakehead Psychiatric Hospital serves cannot be cared for adequately and safely in a general hospital setting or in the community;

"We, the undersigned, petition the Legislative Assembly of Ontario and the Minister of Health for the province of Ontario to reject the recommendation for the closure of the Lakehead Psychiatric Hospital."

Mr Speaker, as you can see, there are a lot of signatures here, in fact 12,202.

#### SCHOOL FACILITIES

**Mrs Barbara Sullivan (Halton Centre):** I will add my name to that petition too, but I have another one to read to you addressed to the Legislative Assembly of Ontario which reads as follows:

"Whereas the north River Oaks community in the town of Oakville qualifies under provincial funding guidelines for a new public elementary school;

"Whereas the province of Ontario has provided no funding to the Halton Board of Education for the last fiscal year for any new school facilities;

"Whereas the residents of our community believe that a quality education in a local school is a high priority;

"We, the undersigned, petition the Legislature of Ontario to provide funding for a public elementary school for the north River Oaks community."

River Oaks is in my constituency and I've affixed my name to this petition.

#### LONG-TERM-CARE REFORM

**Mr Bruce Crozier (Essex South):** I have a petition signed by several hundred petitioners that says:

"We, the undersigned, are extremely upset that Bill 173, if not amended, will result in less client service, a more costly service system and a decrease in volunteers in the long-term-care system."

I agree with this petition and add my signature thereto.

#### WASTE DISPOSAL

**Mr Ron Hansen (Lincoln):** This is to the Legislature of Ontario, a petition where I have approximately 500 signatures:



"Whereas the Ontario Waste Management Corp is proposing to build and operate a huge centralized toxic waste incinerator and landfill site in the heart of Ontario's farm land;

"Whereas toxic waste must be treated at the source because transportation of such huge volumes of toxic waste on our highways is suicidal;

"We, the undersigned, petition the Legislature of Ontario to change the mandate and directions being promoted by this crown corporation."

I affix my signature to this petition.

#### GASOLINE PRICES

**Mr Frank Miclash (Kenora):** A petition to the Legislative Assembly of Ontario:

"Whereas the difference in gasoline prices between northern and southern Ontario has long represented a serious inequity between the two regions; and

"Whereas the difference in gasoline prices between northern and southern Ontario is often between 10 and 20 cents a litre; and

"Whereas residents of most northern Ontario communities have no access to public transportation options and are therefore dependent on private automobiles; and

"Whereas in 1990 the election promises of the NDP at that time were to 'equalize' the price of gasoline across the province and these promises have not been kept; and

"Whereas" I, the Kenora MPP, have "called upon the NDP government to keep their 1990 election promises; and

"Whereas the elimination of motor vehicle registration fees for northern Ontario residents does not compensate for the high price of gas in the north;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the NDP government fulfil its election promises to the people of northern Ontario by equalizing the price of gasoline across the province."

That's signed by people from Dryden, Kenora, Thunder Bay, actually a few from Balmertown, Red Lake, from Keewatin as well, a number of places across my riding. I too attach my name to that petition.

#### ADOPTION

**Mr Cameron Jackson (Burlington South):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the right of adopted persons in Ontario to know their natural identity is denied; and

"Whereas the present disclosure system under the Child and Family Services Act is discriminatory, inefficient and expensive and government has demonstrated an inability to provide service in a timely fashion since 1979; and

"Whereas the provincial government studies since 1976 have repeatedly recommended that adopted adults be granted unrestricted access to their original birth certificate registrations; and

"Whereas there is widespread public and political support for these rights to be recognized and codified; and

"Whereas Bill 158 has passed second reading in the House by a wide margin of 49 to 3 on May 12, 1994, and is now before the standing committee on social development; and

"Whereas this bill addresses the right of adopted persons to obtain their own birth certificates and provide a mechanism for birth parents to register a veto prohibiting contact from the person they surrendered parental rights to; and

"Whereas 1994 has been designated as the Year of the Family;

"We, the undersigned residents of Ontario, petition the 35th Parliament of Ontario to act without further delay and respectfully request that Bill 158 be put on the committee's immediate agenda."

This petition has my signature of support as well.

#### ANIMALS FOR RESEARCH

**Mr Larry O'Connor (Durham-York):** I've got a petition here to the Parliament of Ontario and it reads:

"Whereas every year in North America animals are used in cruel, outdated tests for cosmetics and household products;

"Whereas these tests are not required by provincial or federal law;

"Whereas many non-animal alternatives are available and are already in use by many companies;

"We, the undersigned, petition the Parliament of Ontario to pass into law a bill which prohibits the use of animals in cosmetic and household product testing."

I attach my name as well to this petition.

#### LONG-TERM-CARE REFORM

**Mr Dalton McGuinty (Ottawa South):** I have a petition signed by 448 residents from Thunder Bay, Geraldton and Sault Ste Marie, and it reads as follows:

"We, the undersigned, are concerned that if Bill 173, the Long-Term Care Act, goes through unamended, it will result in less service, more costly service, loss of volunteers and reduce the ability of communities to develop a long-term-care system."

I agree with this petition and I have affixed my name.  
**1500**

**Mr Cameron Jackson (Burlington South):** I have a further petition regarding Bill 173, signed by several Burlington constituents, the first of whom I notice is Ms Jean Haye, a nurse at St Peter's chronic care hospital in Hamilton. This petition states as follows:

"Whereas the Ontario government has given second reading to Bill 173, An Act respecting Long-Term Care, and clause-by-clause consideration of the bill; and

"Whereas seniors and the disabled are entitled to accessible community-based care; and

"Whereas we do not believe that Bill 173 will provide more cost-effective and accessible care; and

"Whereas we, the undersigned, believe the government of Ontario must recognize and value the work of volunteers in this province;

"We, the undersigned, petition the Legislature of Ontario to ensure that amendments are made to Bill 173

to allow for provision of community care based on the needs of the local communities in Ontario and acknowledge the role of volunteers in the delivery of that care."

This petition also has my signature of support.

#### CHILD AND FAMILY SERVICES

**Mr Gary Wilson (Kingston and The Islands):** I have a petition here to the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Under the existing Child and Family Services Act, only a core group, namely professional persons and officials, are required by law to report a child's need for protection. Many children may be spared serious injury, maiming and death if neighbours, friends, families and acquaintances who believe on reasonable grounds that a child is or may be in need of protection report promptly to the Children's Aid Society.

"Therefore, we are requesting an amendment to the Child and Family Services Act, section 72, where every person would have a special responsibility to report and must comply with the reporting law or face penalty."

That's signed by over 200 people in my area.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr Beer from the standing committee on social development presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 173, An Act respecting Long-Term Care / Projet de loi 173, Loi concernant les soins de longue durée.

**The Deputy Speaker (Mr Gilles E. Morin):** Shall the report be received and adopted? Agreed.

Pursuant to the order of the House dated November 17, 1994, this bill is ordered for third reading.

#### INTRODUCTION OF BILLS

##### COUNTY OF KENT ACT, 1994

Mr Hayes moved first reading of the following bill:

Bill Pr160, An Act respecting the County of Kent.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

#### ORDERS OF THE DAY

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** Just before I call the order of the day, the House leaders have had some discussion around this afternoon's business, which will be government notice of motion number 37. We've agreed that I'll be doing the leadoff for the government on this motion this afternoon. I will take a few minutes.

The government wishes to reserve 15 minutes at the end of the discussion for the member for Sudbury to do a windup and the two opposition parties will split the remaining time.

**The Deputy Speaker (Mr Gilles E. Morin):** Is this agreed? Agreed.

#### TIME ALLOCATION

Mr Charlton moved government notice of motion number 37:

That, pursuant to standing order 46 and notwithstanding any other standing order in relation to Bill 165, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act, the standing committee on resources development shall complete clause-by-clause consideration of the bill at its meeting on Monday 28 November 1994. All proposed amendments must be filed with the clerk of the committee prior to 12 noon on the abovenoted day. At 4 pm on that same day, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee shall interrupt the proceedings and shall, without further amendment or debate, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. The Chair may allow only one 20-minute waiting period allowed pursuant to standing order 128(a);

That the committee be authorized to continue to meet beyond its normal adjournment if necessary until consideration of clause-by-clause has been completed. The committee shall report the bill to the House on the first available day following completion of clause-by-clause consideration that reports from committees may be received. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to be reported to and received by the House;

That upon receiving the report of the standing committee on resources development, the Speaker shall put the question for adoption of the report forthwith, which question shall be decided without debate or amendment and at such time, the bill shall be ordered for third reading;

That two hours and 30 minutes be allotted to the third reading stage of the bill. At the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment;

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes and no deferral of any division pursuant to standing order 28(g) shall be permitted.

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** This afternoon no doubt we will hear from both of the opposition parties—

**Mr Steven Offer (Mississauga North):** Right so far.

**Hon Mr Charlton:** —complaints about this time allocation motion.

**Mr David Turnbull (York Mills):** That's right.

**Hon Mr Charlton:** They will profess to be the supporters of the democratic process and they will chastise the government for limiting debate and for preventing the opposition from pursuing—

**Mrs Dianne Cunningham (London North):** Nineteen times, unparalleled in the history—

*Interjections.*



**The Deputy Speaker (Mr Gilles E. Morin):** Order. You'll have your time to debate it.

**Hon Mr Charlton:** They will chastise the government for having limited the democratic process in terms of the debate on this bill.

Right from the outset, I would like to set the record straight. The debate on this legislation started last spring. In the House leaders' discussions before the end of the spring session, I sat down with both of the opposition House leaders, the then member for Bruce and the member for Parry Sound, and asked them how much time they required to deal with this bill in committee. They both went back to their respective caucuses, they dealt with their respective critics and came back to me with time proposals for the committee hearings on this legislation.

I admit that at that time I attempted to talk them down from the amount of time they had requested for this bill, but in the end I gave both of the opposition caucuses all the time they had requested to deal with this Workers' Compensation Board set of amendments.

**Mr Turnbull:** How many amendments did you bring forward because it was such an incompetent draft?

**The Deputy Speaker:** Order, please. The member for York Mills, would you please take your seat. I would ask the House to refrain from heckling. You'll have a chance to debate the resolution later on.

**Hon Mr Charlton:** Not only did I give them all of the time they had requested to deal with this bill, but when it was not finished at the end of the allotted time during the intersession, I sat back and patiently allowed the bill to continue in committee into this session. It was supposed to have been finished, by agreement, before this session started, but I patiently sat back and allowed the bill to continue into this session in committee.

Each week at the House leaders' meeting I asked the respective House leaders to go back to their caucuses and to come and tell me what was a reasonable expectation. Last Thursday both of the opposition caucuses told me, and told me clearly, that not only had they failed to live up to the agreement we had reached in terms of time last spring, but they had absolutely no intention of allowing this bill to be completed during this session this fall.

1510

This bill has been in committee for over 120 hours. The opposition has made it absolutely clear that they are not prepared to allow government legislation to proceed, that their objective in this committee is to talk until the session is run out, and that's precisely the kind of thing that both opposition parties have been doing in all four of the committees to which we referred legislation.

I don't like to use time allocation any more than anyone else in this House does, but these time allocation motions, since they've been in the orders and before they were even part of the standing orders in this House—and the Liberal government used them and the Tories used them in the early 1980s—get used when opposition parties at the end of the day make it clear that at the end of the day they are going to use the rules—

**Mr Turnbull:** You've used it three times.

**The Deputy Speaker:** Order, the member for York Mills, please. There's no point in reminding you all the time; I'm just asking you, please, to refrain from heckling. The minister has the floor.

**Hon Mr Charlton:** At the end of the day, we have a majority government in the province of Ontario and the opposition has made it clear that they intend to stifle the ability of that majority government to pass its legislative agenda.

I have been reasonable and patient with both of the opposition parties with respect to this legislation. They have broken the agreement we reached last June by not finishing the bills in the time we had agreed. I've been patient since that time and when last Thursday they tell me they have absolutely no intention of allowing the legislation to be completed, I have no choice but to proceed in the fashion that I'm proceeding today. That's unfortunate, but that is a real part of the political process when the rules of the House are being abused beyond limit by the opposition. So we are proceeding with time allocation today and it is the government's commitment to proceed to see this legislation completed before the end of this session.

**Mr Offer:** I'm pleased to join in this debate. Let me say at the outset, I thoroughly disagree with all of the comments made by the government House leader. There is absolutely no question that the only reason that the government is forcing this particular bill through the Legislature is because it is a piece of legislation which has been thoroughly criticized by people across this province.

Injured workers have criticized this legislation. Employers have criticized this legislation. Anybody who has had anything to do with the workers' compensation system and has read this legislation has criticized this bill. The government knows that; it recognizes that; the members of the committee who have sat on that committee know that, that there weren't very many people who came into that committee who had anything else but extreme criticism of the legislation.

Injured workers said this bill doesn't help them. Management said this bill doesn't address the concerns in and around the WCB system. The reason that the government is using the time allocation closure motion is to ram this thing through notwithstanding the very valid concerns that we have heard throughout the province.

I have taken just a quick check on how many amendments the government seeks to introduce on this bill. A quick count shows 29 amendments the government wants to make to the bill, and when you take a look at the bill, you see that there are in total 36 sections. Of those 36 sections, 11 are just of a technical, not a substantive, action.

So we have about 25 substantive sections. The government is seeking to change those by 29 amendments. You are rewriting a piece of legislation the general public will have no input on. There will be no debate around those changes and you should be thoroughly criticized for your actions.

I have said this is a bad piece of legislation. It's a bad

piece of legislation for employers; it's a bad piece of legislation for the injured workers; it's a bad piece of legislation for anyone who has anything to do with the WCB system.

My riding, as you know, Mr Speaker, is known as Mississauga North and it's that part of Mississauga north of Eglinton Avenue. It includes communities such as Meadowvale, Meadowvale Village, Malton, Streetsville, East Credit and a variety of areas in between. It is a growing community. It is growing not just in terms of residents but also in terms of the business community.

I must tell you, as I am sure many members experience in their constituency offices, a great deal of time is taken up with WCB cases, not just from the injured worker standpoint but also from real concerns that employers have with respect to the funding of the system, an important aspect. It is not the government that funds WCB; it is the employers of this province that fund WCB, and they are concerned with the direction this government is taking that system and they want some say. They want to be able to comment on particular pieces of legislation and they want to share their concerns.

The government has not listened and this bill does not address the real concerns in and around the WCB system. When you don't address those concerns, then not only are you not meeting the issues raised by the business community, but you are not acting in the best interests of the injured workers of this province.

Concerns are raised in my constituency office, and through meetings that I hold throughout my constituency, over the service around the WCB, the type of service that is being given to injured workers. Concerns have been raised over the funding of the WCB system and these are valid concerns that have to be met. This bill doesn't.

For the government to ram the bill through using another time allocation motion is to say to all of those people, to all the businesses that are located in my riding of Mississauga North and ridings throughout the province, to the injured workers, that we are not going to listen.

Notwithstanding the significant, serious and valid concerns that you made on this bill, notwithstanding the serious, significant concerns you raised in and around the direction the government is taking under WCB, the government says: "We will not listen. We will not listen and we will still proceed with the bill." I believe that to be a significant disservice to the people in my area and throughout the province.

There have been a number of areas of concern that were raised. The government sometimes tries to trump up this fallacy that this is a piece of legislation which is going to in some way, shape or form start the WCB process on a better financial footing.

*Interjection.*

**Mr Offer:** The previous Minister of Labour only seeks to interject. But the fact of the matter is that when you read the legislation you will see that this bill does nothing of the kind. It will not in any way, shape or form set the WCB system on a better financial footing. In fact,

it could be argued that now we have some legislation which will do just the opposite.

1520

I will give you one example, for those who might not have read the piece of legislation. Let me be very clear: I was, and am, a member of that committee as we grappled with this particular bill. As we know, many times initial decisions are rendered in the WCB which are appealed to the Workers' Compensation Appeals Tribunal, which is referred to as WCAT.

The government says that this particular bill carries a new financial accountability. The interesting thing that we asked the government was, does that mean that this financial accountability holds to WCAT, the Workers' Compensation Appeals Tribunal? Are they subject to the new financial accountability where every decision is appealed?

The answer by the government was no, WCAT is not bound by this bill. In fact, the financial implications of any WCAT decision will have a significant impact on the unfunded liability, and there is no control under this particular bill.

For the government to trump up this financial accountability argument is just sheer fallacy. For anyone who cares to read the legislation or who cares to speak to representatives of the Ministry of Labour, it will be clear that the appeals tribunal is not subject to and is not bound by this bill which is the subject matter of the time allocation.

I believe that maybe, just maybe, one of the reasons for the time allocation is not what the House leader said, but rather because more and more people recognize that this bill is a bad piece of legislation and are sharing that with the government. There is no support for this bill, and the impact is going to be that the government has got to ram the bill through in order to make it law. I think that is irresponsible in the extreme.

The second area which I want to talk about is this again-ballyhooed argument by the government that this in some way helps injured workers. I must tell you that during our committee hearings we received a great many representations by injured workers.

Many men and women who have been injured on the job through no fault of their own took the time and effort to come to our committee to share with us their concerns. They did not come to say, "Thank you, government, for this bill." They came to say: "This bill needs some real work. This bill is not the bill that the government says it is. It is not one that is in the best interests of injured workers."

Let's use an example; talk without example is something that must be weighed. I know my colleague from Mississauga West introduced an amendment to the bill which would do a significant yet very straightforward change.

Right now, workers' compensation has a board made up of a number of individuals. There is no person on the board as of right who represents injured workers. Rather, if there is an injured worker on the board, it is only because someone says, "Oh, you can sit here for awhile,



but if we don't want you to sit here when we don't feel like it, then you won't sit on the board."

Injured workers came to our committee on a daily basis and said: "We want a position on the board as of right. We want a position on the board just as workers generally have positions on boards, just as representatives of the public have positions, just as representatives of management. We want our right to be on that board." A very straightforward amendment, basically it said that injured workers have the right to have a position on the Workers' Compensation Board.

You would think that a government that professes to have the monopoly over the representation of injured workers in this province would say yes. What did the government members do? The government members voted against. They voted against giving to injured workers in this province a right on the board.

What seems so incredible is when we read the purposes of the bill. It is to provide fair compensation to workers who sustain personal injury, it is to provide health care benefits to those same workers, it is to provide rehabilitation services to facilitate workers' return to work, and it is to provide for rehabilitation programs for their survivors.

The purpose of the legislation is directed to injured workers. Why then does the government not give to those same injured workers a right to be on that board? The question is very straightforward; the question is very direct. Why doesn't the NDP government give to injured workers in this province the right to have a say on a piece of legislation for which they are the main purpose? And the government said no to the injured workers. The government has said no to many people that came before that committee. That is the real reason for this time allocation.

#### *Interjection.*

**Mr Offer:** The former Minister of Labour interjects, but the former Minister of Labour spent no time at that committee. The former Minister of Labour was not there when those presentations were made by those injured workers. The former Minister of Labour was not there when management came and said, "We believe in a workers' compensation system, but it's necessary that our concerns be met as well."

For the government to say today, "This time allocation motion is necessary because of some long-standing debates that are taking place," is ridiculous. The reason that the government is ramming this legislation through is because everybody is against it, and the only reason they can get it through is if they use the rules of the House to basically say, notwithstanding the concerns raised by injured workers in my riding of Mississauga North and I trust at ridings around this province, notwithstanding the concerns raised by the business community in my riding of Mississauga North and again throughout the province: "No. We shut the door to those concerns. We don't let you in. You can come to the committee, we'll go through the two or three weeks, and then we'll introduce a time allocation motion so that notwithstanding what we heard, notwithstanding all the very valid concerns about the future financial health of the board,

notwithstanding the valid concerns raised by injured workers in this province, we are going to shut the door on those concerns." I think that is absolutely irresponsible.

Now, what cannot be argued is that according to a quick count, the government has introduced something like 29 amendments to a bill that has 25 substantive sections. What is the government going to do? What do they say to all of the people who care strongly about a workers' compensation system, who recognize and believe in the principles under which it was formed and want to make certain that those principles so many years ago remain intact and in fact grow? The government, by this time allocation motion, is saying, "We know what's best." It is the usual arrogant, holier-than-thou approach that this government takes on so many pieces of legislation.

Mr Speaker, you will know that this is not the first time we debate a time allocation motion in this Legislature. In fact the government House leader, I think, reads from his previous notes. All he does is change the bill number and the subject matter. He always says the same thing. What he neglects to say is that the time allocation motions are not the creatures of opposition parties. The time allocation motions are not things that are brought forward by the opposition or third party. The time allocation motion is brought forward by the government.

1530

It is not because of a huge amount of approval of a piece of legislation. Make no mistake about it. The time allocation motion brought forward by that government on this bill is not with respect to the fact that people approve of the bill. It has everything to do with the fact that people from all parts of this province disapprove of the bill.

It is a piece of legislation which carries equal criticism from the injured workers as well as from the business community. It's important to note that we heard much of the same criticism from both groups. The injured workers are very concerned that they have no say as of right over a particular piece of legislation which has as its purpose their so-called best interests.

I have a concern when the government seeks to ram through a piece of legislation that shuts the injured workers out of a WCB system. I have a concern when the issues raised by management are not addressed in the legislation; in fact, one could say they have been turned the other way.

There is no financial accountability in this piece of legislation. The Workers' Compensation Appeals Tribunal will be able to do whatever whenever it wishes without any regard to what the impact will be on the unfunded liability of this particular system, which now rests at something like \$11 billion and growing each and every day.

This is an important subject matter. The subject matter of workers' compensation is one that is felt in my constituency office, through meetings that I've held and, I trust, by other members. Because of the importance of the WCB issue, the legislation must be treated in the

same way. This government has not done that. They have introduced a piece of legislation which has been roundly criticized from all quarters. Instead of listening to the concerns, they ignored the concerns. Instead of further debate, they have time allocation. Instead of opening the door to the people of this province, they shut that door. For that, this government is held accountable and will be held accountable.

This bill is of no assistance to the injured workers in my area. This bill is of no assistance to the funder of the system, which is the business community. This is a piece of legislation which has shut the door in their faces. This is a piece of legislation which is and should be roundly criticized. For the government to once more embark on its time allocation motion procedure, which is evidence of it not listening, is continual, continual, well-deserved criticism of the government.

They are doing a time allocation on WCB. They have done one on long-term care. They have done one on waste management. They continue to implement and ram through pieces of legislation of which the general public not only does not approve but indeed wants to be heard on. This government is famous for not listening.

This bill is an example of their arrogant, irresponsible approach to an issue which cried out for discussion, which cried out for some real, energetic work. Injured workers are not well served, the management funders of the system are not well served and the people of this province, because of the arrogant approach exemplified by this government, are not well served. I am thoroughly and firmly opposed to the actions that the government has taken today.

**Mrs Elizabeth Witmer (Waterloo North):** I can't say that I'm pleased to participate in the debate today concerning the time allocation motion. I'm extremely disappointed that the people in this province have not had an opportunity to fully debate all of the concerns that have been expressed regarding the hearings that were held this summer. For the House leader to stand in this House and try and indicate that the opposition parties were not cooperative is simply not the truth. We have fully cooperated.

We have introduced amendments. Unfortunately, there were many more amendments than we had hoped would be necessary. However, after hearing the viewpoints of all Ontarians this summer, the injured workers, the employee groups, the unions, the business groups and numerous other groups associated with health care and from other areas in the province, we simply felt that we had a duty and we had a responsibility to introduce amendments that would respond to the concerns they had expressed. It's for that reason we introduced them. We had hoped that the government would provide us with ample time to fully debate and discuss all of the amendments. However, it now appears that is not to be.

Indeed, I had the impression this past summer and now again this fall that the government was more interested in closing off the debate, not discussing the content of the bill, because at numerous times they introduced motions for adjournment and recesses, and at times I wondered what was going on. It was obvious that they didn't want

the public to fully understand what was contained within the bill, because this bill does not respond to the needs of employers, employees or injured workers. It does not serve anyone well and will simply leave to another day and another government the need to thoroughly reform the workers' compensation system.

It is extremely unfortunate as well that the government has again, for the 19th time in four and a half short years, introduced this motion of closure which effectively limits debate on an issue as important as workers' compensation. During the time that our party was in power for 42 years, we only introduced closure three times. We knew how important it was to listen to the voices of the people in this province. The Liberals in their five years in office only introduced closure four times. So I think you can see that this government has indicated time and time again, now 19 times, that it doesn't want to listen to Ontarians; it simply wants to introduce legislation. They want to put it through as quickly as possible.

We've seen this now in the area of waste management. We've seen it in the area of long-term care, another bill that will have horrendous consequences on the lives of people in this province. We're going to be faced with a huge bureaucracy. We're going to eliminate the volunteer component in the delivery of long-term care, the VON, the Red Cross, the Meals on Wheels, and instead we're going to have a huge bureaucracy and people will be left with no choice whatsoever as to what type of care they want and from what care provider.

As far as the long-term-care legislation is concerned, it's obvious the government's only concern was not to best serve the needs of the senior citizens and the disabled, it was simply again another attempt to facilitate unionization.

So much of the legislation that has been introduced the last four and a half years has been geared to facilitating unionization and increasing the number of unionized workers in this province. It has not responded to what is in the best interests of the majority of people in this province; it's been a response to a small, small special-interest group. It's time that this government started to listen.

1540

Furthermore, I would suggest to the opposition that last evening as we sat in committee, I was prepared to discuss the amendments to Bill 165. In fact I introduced a motion for unanimous consent to sit beyond 6 o'clock in order to finish the discussion and the debate. However, the member for Durham East refused to give the support necessary for unanimous consent. Personally, our party wants to make sure that all of the amendments are thoroughly discussed and debated, as opposed to coming in here and spending at least two and a half hours discussing time allocation.

I'd like to talk now about this bill since this will be the only opportunity we have to fully discuss Bill 165. Up until now, the government has forced any debate or discussion to take place in committee and the public has not had an opportunity to participate or listen.

There was tremendous optimism in this province when



the Premier indicated his desire to reform the workers' compensation system, because everyone recognized that major reform was long overdue. In fact there was a feeling of optimism at that time that recognized the fact that if the two parties, business and labour, could indeed work cooperatively together and were indeed truly committed to the process, we would see that much-needed WCB reform.

However, how quickly that optimism faded when the Premier aborted the very process he had established. He had established the process by bringing together into the Premier's Labour-Management Advisory Committee both business and management. He had asked those individuals to take a look at long-term reform, to take a look at recognizing that the system was in some financial crisis. Instead of listening to the proposals that had been put forward by the PLMAC that were part of the accord, he himself hastily introduced a bill, Bill 165, on May 18 of this year which bore little or no resemblance to the original accord.

The bill totally ignored the reform plans that were recommended by the Premier's very own hand-picked business advisers. It does not reflect the accord that was reached between business and labour. For this government to continue to pretend that it does in any way, shape or form is totally false, since the business community throughout the summer continued strenuously to denounce Bill 165 and asked repeatedly that it be withdrawn and that the government go back to the drawing board. I can tell you, that was the position of our party. We agreed wholeheartedly with this position.

Bill 165 does absolutely nothing to address the fiscal crisis of the system or the lack of financial accountability, although the government tries to pretend that it does. Unfortunately, the only thing this bill does do is to place the NDP political agenda ahead of the total workers' compensation system.

Not surprisingly, the agenda that we see in Bill 165 very, very strongly resembles the labour agenda, the original labour agenda. As a result, the confidence and the trust of employers in this government have once again been severely eroded.

I'd like to deal with some of the major concerns with the bill. Certainly one of the primary reasons for discussion and debate and bringing the two sides together was the need to deal with the issue of the unfunded liability. Instead of reducing the unfunded liability of \$11.7 billion to zero, this bill will instead increase it to about \$15 billion in the year 2014. In fact, there are those in this province who have indicated that it could well increase to beyond \$15 billion; it could be \$31 billion, or even in excess of \$50 billion.

Unfortunately this government still fails to recognize that the Workers' Compensation Board in Ontario is in crisis. The system is technically bankrupt now because today it owes injured workers in this province more than \$11 billion more than it has money to pay them. I don't think people understand sometimes what an unfunded liability is, but it simply means that it owes \$11.7 billion more than it has money to pay the injured workers. That's why, if this issue is not addressed, if the unfunded

liability is not reduced to zero, we could place in jeopardy the future benefits that are owed to injured workers.

It's obvious that without the fundamental reform that was suggested by the management representatives of the PLMAC there may eventually, as I said before, not be enough money to pay the injured workers unless the taxpayers in this province pay the money. Certainly I believe everybody in this province has recognized and has indicated to us they want no more taxation by any government at any level, whether it's federal, provincial or municipal. They have hit a tax wall.

We also need to recognize that the huge sum of \$11.7 billion that is the total of the unfunded liability is a cause of concern for the bond rating services. They have identified the unfunded liability as a cause for concern with respect to our provincial credit rating. Thus, it is important to realize that the unfunded liability acts as a disincentive for businesses that might consider relocating or establishing their operations in our province. We recently heard about a company that decided to move to New Brunswick—it was a courier service—because the rates were much more favourable in the province of New Brunswick than they are here.

So what companies are doing, and I'm going to have more to say on that later, is taking a look at what would be the cost of workers' compensation, what would be the cost of the assessment, if they were to move into Ontario. When they recognize the high cost involved, they are choosing to locate either in the United States, New Brunswick, Manitoba or elsewhere. They are not coming into this province.

We have, as a result of our very onerous employment legislation, created a wall around the province of Ontario. There has been so much red tape, there has been so much regulation, we have seen so many changes to employment legislation that people are simply not expanding and making more investments in Ontario, and they're not coming into the province. As a result, it's legislation such as Bill 165 that is preventing the creation of new jobs in this province.

#### 1550

That's part of the problem with so much of the legislation that the NDP is introducing. Instead of helping the people that it is intended to help, it is simply driving business out of the province or, if they're not here, it is discouraging them from ever opening up operations here.

We need only to take a look at employment equity, another piece of legislation that will introduce some changes for employers in this province. Again there's quite a cost involved in the implementation. We've had pay equity and we've had the increases in the minimum wage.

All of these incentives, these new pieces of legislation intended to help workers, are actually having a negative impact as they contribute to a loss of jobs or a lack of the creation of new jobs in this province.

The purpose clause is another major cause of concern. Although it was to include a financial responsibility framework, this was never included in the manner in which it was intended, and the way the bill is presently

worded, it provides the authority to expand benefits and coverage without any regard for the impact on the system or the Ontario economy.

The purpose clause and the financial responsibility framework were intended to inject a balance into the system, a balance between securing benefits for injured workers and the need for financial accountability at every level within the system.

It was agreed by both sides that the purpose clause should require that any proposed change to the benefits, the services, the programs or the policies under the act be thoroughly analysed in order to evaluate the overall consequences of the proposed changes on workers and employers. None of this is reflected in the present purpose clause before us today.

As currently drafted, this bill does not require cost to be taken into account when new provisions or policies are considered by the government or the Workers' Compensation Board.

If you apply this to such issues as stress and chronic pain, it means that the Workers' Compensation Board will evaluate the changes with no regard whatsoever for the system to fund these improvements, a system which, as I said before, already has an unfunded liability of \$11.7 billion, an unfunded liability that will grow to at least \$15 billion by the year 2014.

I'd like to now move to experience rating. We all know that experience rating in Ontario has represented one of the best examples of joint policy development between the business community and government. It is an intelligent balance between employer accountability and the basic insurance principles of workers' compensation.

We now know that the government intends to complicate the process by measuring health and safety in the workplace, vocational rehabilitation and return-to-work practices, as well as the employer accident cost and frequency.

If this is the case, if these are the changes that are going to be made to experience rating, will this mean more red tape for the employer community? Will it mean that there is more administrative involvement at the WCB? Will it mean there are more employees hired? Is this going to move the program from a program that measures and rewards results to a program that is going to measure and reward process?

Unfortunately, the answer to all of those questions is a resounding yes, and I can tell you that the people who came before us during the summer hearings indicated that if that is the case, that would be a grave, grave mistake.

What is the government's intention regarding this proven, workable program that presently is the only remaining program through which employers can control their ever-increasing WCB costs? Presently, almost all industries in this province are covered under one of the experience rating programs, and they have been a very, very major factor in reducing accident frequency in Ontario by more than 30% since 1988. Our party, the Ontario PC Party, says loud and clear to the government: Don't touch experience rating. It works.

Let's move now to the benefit increase of \$200 per

month to injured workers. Instead of assisting older workers who are in genuine need of additional assistance, it further stresses the financial health of the system by awarding these additional benefits without any kind of needs analysis. Furthermore, the \$200 benefit has been extended to older workers for life, and not age 65 as agreed to in the discussions between labour and management.

There was some agreement that there be a royal commission, that there was a need for a royal commission. However, that hope, that optimism for the commission and the possible work that it could do, has also faded because a prominent labour leader was appointed to head up the commission.

Many people now wonder if it is even possible to have an impartial review. I would say to the government that if the system is to be reviewed and if we are to identify what needs to be changed, it should never have put in place someone as prominent as the individual they presently have to head up the royal commission. There should have been neither a prominent business nor a labour leader chairing the royal commission. There should have been a neutral chair.

This bill also gives the government the authority to impose policy on the board of directors for up to one year after the bill comes into force. This is totally unbelievable. This undermines the very principle of independent administration. That was one of the cornerstones of the system that was designed by Justice Meredith 80 years ago.

This power is totally unprecedented and it is almost extraordinary for an agency with which the government says it is attempting to establish a more arm's-length relationship. In fact, in one of the last letters that the former Minister of Labour wrote to me, he indicated to me that he couldn't become involved because this was an arm's-length relationship that needed to be respected. Now we see that they have totally ignored the principle of independent administration.

This change will enable the government to direct the Workers' Compensation Board to do virtually anything. At the same time, the government is under no obligation, as I've stated earlier, to act in a financially responsible and accountable manner, and it is under no accountability to any body or any agency for its actions. This provision was not proposed in the accord, and it is certainly further evidence that this government is acting in its own interests to ensure that its political agenda is going to be fulfilled, particularly in the last year of its mandate. Again, the government has totally ignored the wishes of the people of this province and decided to act in a very authoritarian and dictatorial manner in being responsible for policy development.

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The re-employment provisions of Bill 165 are inconsistent also with the accord. They do not reflect the understanding reached by business and labour on this very complex issue. The accord recommended that the current act be enforced by the WCB and that positive initiatives be pursued to encourage and promote re-employment. Well, I can tell you that Bill 165 totally



distorts the spirit of that agreement. The mediation provisions were not recommended or agreed to in the accord, and what is going to happen here is that it will impose yet more bureaucracy in an already overcrowded and very, very complex system.

Through these provisions, the bill is intentionally moving the WCB away from the role of being an adjudicative body to an agency that is focusing on return to work and mediation as its primary function. This was not a part of the PLMAC accord. The WCB's primary mandate is to determine entitlement to benefits and services under the act and then to provide those services, not the other way around. It is not in the WCB's mandate, nor was it ever proposed in the accord, that the WCB's vocational rehabilitation focus should change from one of rehabilitating the worker to the point of employability to securing the worker with employment, which this government and this bill appear to be attempting to do.

Also, the penalties that are proposed for employers who do not participate in the vocational rehabilitation programs were not a part of the accord either. Yet again, the government has unilaterally proposed the penalties for its own selfish reasons. The accord attempted to promote positive incentives and cooperation as a way of improving the effectiveness of these programs, not imposing penalties on employers for non-cooperation in programs that are of questionable value and effectiveness.

In fact, it brings me back to the Workplace Health and Safety Agency, where we have a situation as well where employers question the effectiveness of the programs that are presently in place, because the government has simply not recognized the need for sector-specific training, particularly in the small business area. They have also not recognized that there are different modes of delivery of programs.

Again, they base everything they're doing on the classroom and moving everybody to one location as opposed to recognizing the new technology that is available to take workplace training programs into the workplace and make sure that all employees in this province can quickly be trained in very sector-specific ways to ensure that we do have safety in the workplace.

This bill does not address many of the real problems such as the shortage of services available to employers. There's nothing in here at all, and employers have told us about the shortage of services. It does not address the regional disparities that exist, the availability and lack of availability of medical and vocational rehabilitation services for injured workers or the lack of internal programs and services within the WCB to assist employers in developing effective return-to-work programs.

Certainly, it doesn't deal with the one issue that all MPPs deal with on a regular basis, and that is the numerous calls that we get from the injured workers who are not responded to when they phone the worker adviser or other individuals. One of the first things that we need to take a look at is how we can more appropriately and more efficiently respond to the concerns of the injured workers, because right now they're phoning our offices

because they simply cannot get satisfaction at the WCB.

These are a few of the concerns and questions about Bill 165. I wanted to give this overview. The bill, as you can see, totally ignores the depth of problems that are facing the Workers' Compensation Board, fails to recognize that the system could face insolvency if the unfunded liability is not reduced and a plan determined to reduce it to zero, and that workers' benefits and Ontario businesses are also at risk.

It is very unfortunate that this government did not put the interests of the workers, the employers and the injured workers ahead of its own political agenda.

At this point in time I would just like to mention very briefly some of the reforms that the Ontario PC Party believes are necessary. They are necessary if we are going to return the WCB to its original concept as a workplace accident insurance plan.

Our proposals to deal with WCB reform include, first and foremost, the entrenchment of the concept of financial accountability in the purpose clause, (2) a freeze on new entitlements such as stress until there is a plan in place to deal with the unfunded liability, (3) limit stress claims to those that result from a traumatic event, (4) reduce benefit levels as Manitoba and New Brunswick have done to 85% from 90% and investigate lifetime pension awards, and (5) replace political appointments with a new management team of insurance professionals to improve productivity, case management, quality and customer service.

We have seen this happen in the province of Alberta, and they are now at a point, because of a new management team, a new CEO, where they have almost eliminated their unfunded liability, and certainly there was no reduction in benefits whatsoever.

This is something that this government could have done. Instead, during the last four and a half years they have put in place political appointments as opposed to people who have experience in the insurance field and are able to function as management professionals. They could have improved productivity, case management, quality and customer service. However, they selected not to do so. Instead, they put more and more political appointees into senior positions.

(6) We need to introduce value-for-money audits and spending controls.

It's absolutely ridiculous that the WCB was able to get away with awarding a contract to build a new \$200-million office tower without first getting government approval or at least being accountable for the decision. Then this summer we discovered that they didn't even have enough space at Simcoe Place and they were moving out, moving up to Downsview, and putting the overflow staff in there and, again, they were prepared to blow \$7 million on renovations for people who couldn't get into Simcoe Place.

So talk about mismanagement; We've seen nothing but mismanagement, and our party very strongly supports value-for-money audits and spending controls. It's high time that we take a look at what's going on and that we protect the money that is needed to pay the benefits of

the injured workers and not squander it.

(7) We need to examine contracting out for both the administration and provision of workers' compensation services. We need to enlist private sector expertise to develop less expensive and more effective ways to retrain, rehabilitate and respond to the needs of injured workers, because at the present time there are many individuals and certainly we saw them during the hearings, we see them in our offices. We are simply not doing the best job possible of rehabilitating and responding to the needs of the injured workers in this province.

1610

(8) We need to replace the bipartite model of governance with a multistakeholder model. We need to ensure that the two thirds of employees in this province who are presently not represented on the board do have representation. We need to ensure that the injured workers have seats on the board.

(9) We must eliminate the Workplace Health and Safety Agency. It is not working; bipartism is not working. We need to make it a department of the WCB. We need to ensure that we focus on accident prevention, that we work cooperatively to develop programs that do respond to the needs of the employee in the workplace and that they're just not programmed to ensure that a couple of people have jobs in providing training in unrelated areas than those in the workplace.

Finally, (10), we need to redefine "accident."

I'd like to share now some of the presentations with you. As I indicated to you, we heard from numerous people throughout the province this past summer.

The first one is from the Ajax-Pickering Board of Trade. They indicate here:

"Instead of reducing the unfunded liability, it will increase it to \$15 billion by 2014.

"Instead of imposing fiscal responsibility by means of a purpose clause, it provides authority to expand benefits and coverage without any regard for impact on the system....

"Rather than providing employers with more meaningful incentives for reducing workers' compensation costs, the bill introduces more complexity, imposes additional punitive measures and seems to replace experience rating altogether with a system that will recognize a 'process' rather than results.

"By failing to come to grips with the question of how to fund those who would need special consideration under the revised indexing provisions in Bill 165 (the application of the Friedland formula), the bill once again rides roughshod over any semblance of fiscal responsibility....

"Instead of creating a more 'arm's-length' relationship between the government and the WCB, the bill by authorizing the government to issue policy direction...undermines the very principle of independent administration....

"We would ask you to give some serious thought to the damage the government's approach has caused. To begin with, everyone loses; employers will continue to face cost increases; workers will continue to face uncer-

tainty about future benefits and, perhaps worst of all, neither party has any faith left in the system itself.

"...let me assure you, the crisis is real. Consider the following:

"The unfunded liability is real and it must one day be paid. It is irresponsible and destructive to simply pass the debt on to the next generation of employers....

"Assessment rates have increased by almost 200% since 1980, yet accident frequency has declined by 30% since 1989....

"We now face a debt of \$11.6 billion; in 1980 it was less than \$1 billion. Projections by qualified actuaries suggest that this could reach \$31 billion by 2014. If the costs of future economic loss awards are not contained, it could go as high as \$52 billion.

"It is a fact that the system is technically bankrupt now."

That's from the Ajax-Pickering Board of Trade, and they conclude by saying this:

"As you consider Bill 165, ask yourselves, please, what does this bill do to protect the long-term financial interests of those it is supposed to protect, the injured workers and employers of this province? Ask yourselves too, please, which is more likely to bring about a healthier and more fiscally responsible system, Bill 165 or the business caucus proposals and the accord agreed to by the business and labour stakeholders in Ontario?"

Here we have the presentation of the board of trade in the city, Metropolitan Toronto, and again they indicate:

"The most critical element in the negotiated package is the financial responsibility framework. If the financial responsibility framework is not reflected in the purpose clause of Bill 165, the unfunded liability will continue to grow and the workers' compensation system will continue in chaos.... The bill must address the problem. The government and you personally"—this is a letter to Bob Rae—"have an obligation to amend the bill to assure that health is restored to the system." This was written on June 27, 1994, to the Premier.

I have here the presentation that was made by the Ontario Chamber of Commerce on August 24, 1994. The chamber of commerce, of course, represents many, many businesses throughout the province, both large and small. It says here:

"In January of this year, the chamber conducted a survey" of its members. "Over 70% of these individual businesses and their community representatives identified immediate action on annual assessment increases, accountability to the taxpayer, and immediate action on the unfunded liability as priorities for workers' compensation reform.

"More telling than these numbers was the sense of outrage and frustration with a system that is failing to respond to their needs. Our office continues to receive calls from members who are simply fed up with the political football that workers' compensation has become. Some even make it a point to threaten to 'vote with their feet' on this issue. That means jobs are in the balance.

"Bill 165 will not satisfy even the most basic needs of



our members on workers' compensation." They go on to ask that the bill be withdrawn.

Again, you can see that reference is made to the future investment in this province, the expansion, and again the business community is saying that this bill is another example of a roadblock which makes it more difficult, and as a result they will, if need be, take their jobs outside of the province of Ontario.

We must recognize that so much of this legislation is leading to decreased job opportunities in this province, job opportunities that are so desperately needed by not only our young people but many older workers who have been displaced. This government totally neglects to take that into consideration as part of the equation as they continue to introduce far, far more regulation and red tape.

In fact, it's amazing. Yesterday we stood in this House and we took a look at the legislation that was intended to "clear the path," to get rid of some of the red tape and the regulations. Well, I can tell you, that was not even a baby step forward. But I can tell you also that this legislation, such as the WCB changes, the changes in the employment equity policy, the minimum wage, those are giant steps forward and do have a giant impact on the lack of creation of new jobs in the province.

1620

Here's a submission on August 23 from the Federation of Temporary Help Services. They recommend "...that Bill 165 be withdrawn, at a minimum...the purpose clause should be redrafted to restore financial integrity to the...system; the Premier's Labour-Management Advisory Committee's Friedland formula should be applied with no exceptions; and the NEER program should not be undermined."

Before I go on and refer to some of the other presentations, I just want to make the government aware of the changes, the reforms that are taking place elsewhere in the other provinces. Other provinces are recognizing that workers' compensation needs to be reformed because it was enacted prior to unemployment insurance, the Canada pension plan and personal income tax being introduced.

As we've had these new social programs unfold at all levels of government, unfortunately we have not had an integration with the workers' compensation system. Program integration is being addressed by the other provinces; however, we don't see much of a recognition in our own province.

We need to do a couple of things. We need to ensure that benefit stacking is prohibited. We need to ensure that where payment is made to a claimant for the same compensation purpose in various jurisdictions, an election under one regime must be made and all overpayments recovered.

We need to establish policy concordance between the WCB and the Workers' Compensation Appeals Tribunal and establish in the act that final determination be consistent with the merit principle on the side of the WCB. We need to provide the WCB with strong statutory authority to pursue cases of fraud.

If we are going to reverse the fortunes of Ontario's workers' compensation system, it's going to require some attention to these principles and a willingness to make difficult but necessary decisions. Many other Canadian jurisdictions have recently acted aggressively, as I said before, to redesign their workers' compensation systems. Previous measures undertaken in Manitoba and New Brunswick to reduce injured worker benefit levels have already improved their financial pictures. In addition, New Brunswick has reintroduced a three-day benefit waiting period.

Amendments to the Workers' Compensation Act of Prince Edward Island, Bill 52, will lower benefits to 80% of loss-of-earning capacity for 39 weeks and 85% thereafter, lower the level of indexation in the act and provide wage-loss benefits only where a claimant returns to work and suffers a new injury or aggravation of the old one.

Again, these provinces are making these changes because they are recognizing that workers' compensation was enacted before we had unemployment insurance, before we had the Canada pension plan and before we had the personal income tax regimes that we have today. As these new social programs have unfolded, there has been no integration with the workers' compensation system and that is an issue which needs to be addressed at the present time, which other provinces appear to be doing.

The member for Durham East questioned me as to how Alberta had been able to reduce its unfunded liability. I think he suspected they had cut their benefit levels. As I assured him, and I want to assure you again, there was no reduction in the benefit levels. They are one of the few provinces not to reduce benefit levels.

I also want to let him know that this was done under a Progressive Conservative government. It appears that other governments with different political stripes have cut the benefits. Benefits have been cut to 80% or 85% a year in the following provinces, or they are being considered, and I just want to read the list again: Newfoundland, Prince Edward Island, Manitoba and New Brunswick.

**Mr Gordon Mills (Durham East):** I am not about to say that I'm proud to sit next to Ralph Klein.

**Mrs Witmer:** At least in Alberta there will be money to pay the injured workers, and also they now have their claims dealt with very efficiently and very effectively. They don't have the delay as we do in this province.

**Mr Mills:** There are no hospitals to put people in there.

**The Acting Speaker (Ms Margaret H. Harrington):** The member for Durham East, come to order.

**Mrs Witmer:** I'd like to continue at this time with the presentation that was made on August 22 by the Employers' Council on Workers' Compensation. They represent the interests of over 100,000 employers in this province. They represent people from all sectors of the economy and they include large and small business.

They indicate in here that Bill 165 does not address the serious problems facing the system. It doesn't tackle the

critical financial issues and it doesn't deal with the agreement that was reached between business and labour. They go on to say that the depth of problems facing the WCB will now be put off to another government and to another day:

"At a time when leadership is needed, when courageous political action is essential, the government has chosen to tinker and fiddle while the system faces insolvency and workers' benefits and Ontario businesses are put at certain risk."

They indicate at the end of their presentation that this government, rather than admit it made an error and that it was proceeding too quickly, introduced this Bill 165 and really the only thing that we're going to see happen is that it will "provide direct government control over WCB policy development, rendering the new board of directors powerless;" it will "increase worker benefits, adding \$1.5 billion to the unfunded liability at a time when the board is broke and is experiencing negative cash flow;" it will "force the WCB to expand benefits, having no regard for the competitive implications for Ontario businesses;" it will "scuttle the experience rating system, the last opportunity remaining for business to reduce costs through positive, performance-based initiatives;" it will "increase WCB regulatory powers, adding more red tape for business."

As I said before, that bill clearing the path does very little to assist the business community. Everything that has been done has now been added to the red tape involved in the WCB and much, much more.

1630

I also have a presentation here from the Employers' Advocacy Council. They have 1,700 members across Ontario. They represent a very broad cross-section of Ontario's diverse economy. They have many public sector employers, employers from schedule 2 and they have both large and small employers. They have since 1985 been calling for constructive reform of Ontario's workers' compensation system. They played a key role in supporting the PLMAC process. They spent countless hours and they now feel as well that the government failed to respond to their recommendations.

Their concerns with Bill 165 include the unfunded liability. They want to see an elimination of that unfunded liability. They indicate it is 2.5 times greater than all of the other provinces combined, and since 1989 the amount of assessments earmarked for the unfunded liability has increased by a whopping 57%. New employers opening up business pay an average of 28% of their premiums towards a debt they had no part in creating.

I hope the government listens to that figure, because you can well understand how that can be a deterrent to someone who is planning to set up a business in this province. If you know that you need to pay an average of 28% of your premiums towards a debt that you had no part in creating, obviously you would look elsewhere.

They indicate that since 1980 assessment rates have increased by almost 200%. They indicate that Ontario has the second-highest assessment rate in Canada, yet our

accident frequency has declined by 31%.

They say: "The unfunded liability is very real and must one day be retired. Not addressing the issue today only perpetuates the problem and unduly burdens employers of tomorrow and jeopardizes future benefits to workers."

They talk about the purpose clause, which of course was the cornerstone of the accord between business and labour. They indicate that: "The proposed purpose clause will not restore financial accountability or security of the system. It will not balance the inputs and outputs. Cost implications will not necessarily be a consideration when determining future benefit levels or entitlements....It does not put ultimate accountability for the system on government. All of which were elements contained in the accord."

They talk about "Report re return to work," section 8. "Very simply this will add yet one more encumbrance on employers who are trying to return workers in the workplace.

"There is no penalty on workers who fail to provide the return-to-work information, and use the consent issue as a shield to extend the period of absence from work....

"This will become a further issue over which conflicts and disagreements will arise, to the benefit of no one.

"In order for employers to effectively return workers to safe and meaningful employment employers need the tools. Return-to-work information is fundamental to that process."

Vocational rehabilitation, section 9. "Employers are concerned that rehabilitation from the WCB is not effective, and in many instances spend large amounts on internal rehabilitation programs. In 1993, the WCB spent \$753 million on rehabilitation for about 26,000 workers, an increase of about 34% over 1992.

"...there is a definite lack of focus and the WCB does not have a clear mission statement for vocational rehabilitation....

"Bill 165 has done nothing to address the problems.

"The proposed penalties on employers will be one more issue over which conflicts and disputes are likely to arise.

"Penalties are not the solution—education and proactive cooperative measures are the key to effective rehabilitation and return to work."

They take a look at the re-employment, section 10. "The proposed changes to the re-employment provisions are arbitrary and provide the WCB with an authority which we believe is unnecessary.

"As proposed the WCB will have the authority to make a determination whether the employer has breached the re-employment obligation even where the worker may not be interested in returning to the employment, and in many cases where entitlement is still in question.

"The resources of the WCB would be far better utilized if they were used to assist employers in developing return-to-work programs."

They highlight in italics and bold type, "We view these penalties to be regressive."

Board of directors, section 11: They say, "Any confi-



dence that we held for an effective bipartite model of governance has evaporated with developments over the past four months."

Policy directions, section 16: They indicate that the change "jeopardizes the success of a 'truly arm's-length relationship' between government and the WCB."

Experience rating, section 28: They say: "Very simply experience rating must continue in its current form."

"It has proven to be an unqualified success as evidenced by the more than 30% reduction in accident frequency since 1988."

They conclude by saying, "We believe there is no alternative but to withdraw Bill 165, and return to the proposals presented by the business community to the Premier last November," proposals which, "if followed, would have virtually eliminated the unfunded liability, secured future benefit payments for injured workers, improved vocational rehabilitation and placed the system on a secure footing while improving the climate for business investment in Ontario."

Of course, if we improve the climate for business investment in Ontario, it also means that we will create new jobs.

We've recently received many letters from school boards. Most of them have come to us in the last two months. They indicate their concern "with the financial stability of the WCB and the lack of action being taken to control the unfunded liability." They have concerns in the area of the purpose clause: "The purpose clause needs to be expanded to reflect WCB financial accountability." They ask for changes. They have concerns with the "changes to vocational rehabilitation which give the WCB the power to go to a business at any time to investigate its employment practices." They are concerned with "the proposal that the government will direct policy for a year" and that "a bipartite board of directors will govern the WCB."

They say, "It should be noted by the standing committee that school board experience with bipartite governance has not been either effective or successful, if you review the experiences with the Workplace Health and Safety Agency."

I have copies here of letters from the Prescott and Russell County Board of Education, the Board of Education for the Borough of East York, Kirkland Lake Board of Education and Essex County Board of Education. These are just a few of the many letters we received from school boards. You can see that boards across the entire province, all corners, are very concerned, very unhappy with the government legislation, and I can assure you that they see this government as being totally unresponsive to the concerns they have expressed by now invoking closure on the amendment process.

I have here another brief. Again, this one indicates that the most serious objection they have to Bill 165 "is to the two new punitive aspects of vocational rehabilitation and reinstatement, namely, sections 10 and 27 of the bill," and they would ask the government "to reject the amendments in sections 10 and 27."

Again, there is a long, long list of employers from

southwestern Ontario: Wallaceburg Bookbinding, Jacob Farm Equipment Ltd, Hiram Walker and Sons Ltd, Kent County Board of Education, Chatham and District Association for Community Living, Southwest Tractor, Windsor Elevator Service Inc. Again, all of these people have voiced their objections to the standing committee regarding Bill 165.

1640

I have the submission from the Ontario Restaurant Association. Again, they take exception with the purpose clause, the lack of financial accountability within the system, the authority of the government to issue policy direction to the board of directors for up to one year after the bill comes into effect and also the governance model that has been proposed, the bipartite structure.

They also know, of course, and they give the example of: "The dismal failure at the Workplace Health and Safety Agency has clearly demonstrated that bipartism...has severe functioning deficiencies at the governing and policy-setting levels. The WHSA has been racked with internal fighting, massive board of directors resignations, an inability to solve problems and a complete ignoring of small business concerns."

They talk about their concerns around vocational rehabilitation. They ask the government to take a look at improving the quality and the impact of rehabilitation. They question and are opposed to the additional administrative burdens and fines for employers, an unnecessary intervention. Again, they indicate that experience rating has been one of the WCB's unqualified successes, and they support it wholeheartedly.

They conclude by saying, "The ORA strongly urges members of the standing committee on resources development to think of the long-term ramifications on injured workers, job creation and the Ontario economy if this legislation proceeds forward and the financial viability of the Workers' Compensation system is not adequately addressed."

I have a presentation from Novacor as well in Sarnia. They indicated they would not invest further in this province if we were to introduce a uniform standard rate, since it could add \$1 million to their WCB rate.

So that is the reality: This bill, this legislation, will increase red tape, it will increase regulation, it could increase the cost of WCB payments in this province. I can tell you, employers just will not expand here. They will simply choose to move elsewhere, as people have suggested to us that they will.

This bill also did not address the concerns of the construction industry. Our PC caucus amendments have asked for a separate committee to take a look at this unique industry, the construction industry. It is the second-largest employer in the province of Ontario. They were not invited to participate in the Premier's Labour-Management Advisory Committee, and that is totally unacceptable. So the least the government can do is to respond to the request to set up a separate committee to take a look at the issues that affect construction, and again we heard from both employer and employee groups. They would all agree.

You can see that no one in this province is terribly happy. I could go on and on, but I see that my time is running out.

After hearing the representation from people across this province, I introduced a resolution on September 27 that called for the withdrawal of this bill because I recognized that many groups believe that the bill was seriously flawed. They expressed concern to us that there was also the possibility that Bill 165 could compromise the work of the proposed royal commission. It didn't address the unfunded liability crisis. It was going to impose significant new administrative burdens on employers and diminish the competitive position of Ontario employers, and although I introduced this resolution, it of course was defeated by the government.

The government, after the hearings, did introduce a number of amendments. However, none of them was substantive and they did not respond to the advice from the business community to amend the purpose clause in order to ensure that the financial accountability framework was part of the purpose clause, and that all decisions would be made within the context of being financially responsible and accountable. It didn't reflect the interests of both workers and business.

The amendments did not amount to all that much and as a result we introduced amendments. We introduced 34 amendments; the Liberals introduced 12. We have tried to debate, to discuss all of the amendments because we felt it was necessary to listen to the concerns of the people in this province and unfortunately today, this will end any effective debate on the bill. I need to remind people that the government has not responded. They have continued to introduce amendments that are very one-sided, that tend to respond only to the labour agenda.

Our 34 amendments included a recommendation that we take into consideration the new social structure, and we reduced the benefits from 90% to 85% of net average earnings. This would still maintain the benefit levels in this province higher than in neighbouring jurisdictions and would address some overcompensation issues. We tried to entrench the concept of financial responsibility in the purpose clause. We asked for a mandatory five-year public review of the WCB by the Provincial Auditor, assisted by an advisory committee of relevant stakeholders.

We wanted to ensure that the anticipated royal commission review the WCB governance structure because there has been tremendous concern expressed about the bipartite board structure. We asked to replace the word "physician" with "health care practitioner" to bring the wording into line with the recently proclaimed Regulated Health Professions Act, and certainly we would be amenable to any other wording which would accurately reflect that.

We voted against section 10 of the bill which would give the WCB, on its own initiative and without even a triggering mechanism, the sweeping power to investigate whether an employer has fulfilled his or her obligations to a worker for vocational rehabilitation. We asked for the addition of a construction advisory committee to the board of directors to deal with the unique problems of

that industry. We asked that the interests of unorganized workers be represented on the board of directors as well as injured workers. We wanted to maintain the experience rating as it is presently.

We introduced these 34 motions. We have tried to debate them fairly. We have tried to reflect the concerns of people in this province. However, today we have a motion of closure that has now been introduced 19 times by this government. It's obvious they're not interested in listening to the genuine concerns of people in this province on this issue, or on the issue of long-term care, and they will simply move this legislation through.

We can only hope that they will never have a chance to implement this bill or the long-term-care legislation, because both of them will have a very negative impact on the lives of people in this province, and unfortunately, in the case of Bill 165, it does not deal with the genuine issues of concern to people in this province. What they have simply selected to do is to put off to another day and to another government the need to look at the bill and make sure that it does respond to the changing needs in the workplace and does ensure that benefits will continue to be available for the injured workers.

I ask the government to consider, in the time that's left, at least agreeing to a few of our amendments. Don't make a farce of the standing committee process, where we go out and listen to individuals and groups and then we don't respond, after the public hearings, to the viewpoints that have been expressed. I urge you to start to listen to people in this province.

1650

**Mr Carman McClelland (Brampton North):** I will speak just for a few moments with respect to the general essence of the motion before us today, that being time allocation and the history of time allocation with this particular government.

I guess it's almost become routine for the government of the day to say, "We are going to invoke time allocation," and blame it on the opposition. "We are going to blame the fact that people have concerns on the opposition and say that they are trying to frustrate democracy or frustrate government."

I think back to shortly after the 1990 election, when the new government was sworn in. Waste management was an issue that was critical. It was in a "crisis situation." I recall the then Minister of the Environment saying to me, "Mr McClelland, if you don't allow this legislation"—Bill 143, in that instance—"to pass, garbage is going to pile up on the streets and it'll be your responsibility." That was the justification for time allocation at that point in time.

Well, here we are and the current minister is here and the Interim Waste Authority continues to do its thing, and garbage is not, in point of fact, piling up on the streets. It seems to me that what happens often is that we get so caught up in trying to justify what we're doing, we come up with these almost absurd rationalizations.

I guess what's most frustrating for me, if I start with that first experience of Bill 143 and move through to the current situation with long-term care, as speaker after



speaker has said in this House, legislation that is going to dramatically impact peoples' lives—there isn't one of my colleagues of the 129 other members in this House who doesn't on a weekly basis, usually daily, hear from people with respect to workers' comp. These are everyday issues affecting ordinary women and men in the province of Ontario and they want to have an opportunity to participate in this process that we call democracy.

In point of fact, members opposite in the government champion themselves in fighting for those principles of people being heard and people being part of the process in ownership in this precious commodity that we call democracy. Now, when ordinary citizens participate and come and say, "We have some ideas we want to share," and they do it through the vehicle of opposition members and through the vehicle of committee and bring substantive changes and amendments and suggestions to improving legislation that is going to impact their lives, the government says: "This is frustrating our agenda, so we're going to blame it on the opposition. We don't like what we're hearing, so let's contrive some sort of rationalization to cut off debate."

In point of fact, many people opposite and on this side of the House got involved in the political process because there were issues they felt passionately about and felt that the voice of women and men in this province ought to be heard and acted upon. It seems to me that what we have is a situation—and I recall an incident of two young people playing together that I overheard recently. One of them said, "You know, if one of us would get off the rocking horse, I would have more room." Think about it—out of the mouths of babes sometimes, young people about six or seven years of age. "If one of us would get off, I would have more room." I think about that and think of the seriousness, the truth that's being expressed in that. It seems to me that depends on which perspective and whose ox has been gored and how you look at this.

The fact remains that time allocation has almost become routine with the current government. It's a point of saying: "If you don't agree with us, there's something fundamentally wrong with the position that you take. If the people don't agree with us, then they're ill-advised or ill-informed."

If you're a person who delivers health care or is involved in long-term care in the community and you write a letter to the local paper, you get a patronizing response from the minister that says, "You're ignorant and you don't understand." The wisdom of women and men in this province, individuals, cannot be taken for granted and just dismissed out of hand in that fashion.

I recognize very, very clearly that the government is going to proceed. They've already got their notice of motion. I recognize as well that all of the interventions made by my colleagues on this side of the House—and I suspect, quite frankly, in their hearts, that in point of fact some members opposite feel the same way—that if you can't tough it out and sell it, then you shouldn't be doing time allocation.

The reason I know that is because some of them used to stand on this side of the House in some of these very seats and champion the opportunity to put their position

forward and to fight for what they believed in.

It's the kind of thing that is so easy to do. Once you do it once, it becomes easy to justify it again and again and again and take the easy way out. It's a failing, I suppose, of human nature. I think we have seen yet again today the submissions that are being brought forward on behalf of not only the official opposition, but people who are affected by the member for Mississauga West are not going to be given full opportunity for discussion. There's been a lot of thought and a lot of effort put into it.

As we look at this particular notice of motion to once again stifle free and open and complete debate, all of the rationalization in the world and all of the justification can be put forward, but people know. The people opposite know, those members of the government know that what happened is that they can't take the heat and they want to dodge it.

That's not good enough and the people of Ontario, quite frankly, are going to remember that. People who have invested in good faith and brought forward some creative ideas and who feel they have something to offer will remember when it comes time to vote. They will speak to the kind of government that says it knows better than anybody else, that has all of the answers and all the solutions and is not prepared to listen to people who disagree with it.

Not just because of the time allocation motion that we're talking about today, but because of what it embodies and the way it's representative of an attitude of government that has become all too pervasive in these past few years in Ontario—that's why the people of Ontario are desperate to have an election, to respond to that kind of attitude as embodied in this resolution.

I know what's going to happen. Government members will be ordered to stand in place and vote, and they'll rationalize it and say, "Oh yes, we've got to do this because we've got to get on with the legislative agenda." They know deep in their hearts that in point of fact the reason they want to get on is because they can't take the heat any more.

We'll be voting against this obviously, and I think it's time that the people of Ontario be heard and have an opportunity to put forward, through their elected members, some very, very substantive concerns that they have on this legislation, on Bill 165, and other legislation where debate has been shut off.

1700

**Mr James J. Bradley (St Catharines):** I'm going to take a few minutes today before the member for Mississauga West, who has worked very hard on this bill over the last period of time and has had a distinct interest in the Workers' Compensation Board, will have the opportunity to elaborate on some of the points I'm going to make. I'm going to address my remarks primarily to the use of the closure motion and why I believe that is not good for our system.

I have had the opportunity—I haven't wanted the opportunity, but I've had the opportunity—the last few times we've seen the introduction of a closure motion or a time allocation motion to describe why it is not for the

good of democracy to continue to do this. I do, though, having sat as a government member, know that there are times when a debate will come to an end, and I think in fairness a government is going to find a time when it is going to apply a time allocation or closure. The question will be when it should be.

I think the reason the opposition is particularly perturbed at the introduction of this time allocation motion this time is because the House has not been sitting for some period of time. If the House had come back on September 28 or whenever it was supposed to come back, the third or the beginning of the fourth week of September, when it normally would come back, I think the government's case would be much stronger.

If there had been continuous debate in committee, perhaps it had come back to the House, I think the government's case would have been much stronger. Even though those of us in opposition disagree with the contents of the bill, the government's case for pressing forward with the final debate and the vote on it would be much stronger than it is at this time.

I think it's not strong this time because the government delayed, for whatever purpose. I guess I'm political enough to figure that the reason the government doesn't want to sit is quite simple: The government does not want to face opposition questions and the media scrutiny that takes place after question period in this House. There's more immediate access to members of the cabinet on that occasion.

Also, it's quite obvious the government's agenda wasn't very full and essentially what it has wanted to do over the last few years—and normally we have elections after every four years. Some governments are unwise enough to call it after three years and some are unwise enough to wait the full five years; neither seems to work. About the four years seems to work quite well for governments.

But I believe, because of the rule changes that Premier Rae instituted a couple of years ago in June, that the role of members of this Legislature has diminished considerably.

I don't want to recanvass that argument now, except I think it's important for our democratic system to know that. There won't be anybody in any newspaper who will write about this. There won't be anybody on television who's going to show a clip tonight of anybody in here making a speech about time allocation. It's a boring subject to most people.

Procedures of the House aren't perceived to be of significance to the general public, and certainly not to the editors who make decisions on what gets on television, on radio or in the newspaper. That's why it's incumbent upon members of the Legislature to ensure that we, as a collective group, ensure that the elected members, the only people whom the people out there can get at and influence, have a significant role to play in dealing with legislation.

We have some real problems with many of the provisions of this legislation. Mr Mahoney, the member for Mississauga West, will outline some of those problems,

and probably today he doesn't have the cold that I have, so he will do it in a much more vociferous and vibrant fashion, I'm sure.

But I do want to once again remind the government that we've sat only three weeks and we've had three closure motions or three time allocation motions brought before the House to severely limit debate. This is on top of the provisions that are already found in the rules of the House where Mr Rae has decided that members shall have only 30 minutes to speak on any one subject, with the exception being the lead person, who can speak for 90 minutes. This doesn't allow for a good canvass of a piece of legislation.

I listened to the government House leader make his case. He must make it. Obviously he gets into a discussion with his friends in cabinet who want to see things pushed through, the Premier's office certainly, maybe some of the members who are not in the cabinet, so he has to put forward the best case he can whether he believes it or not, and I fully understand that to be the case.

But I see a problem when the government brings in a parliamentary calendar which is shortened—that is, it has fewer sitting days—just by the new rules of the House brought in by Mr Rae. Second, I am concerned when you limit members on very important legislation to 30 minutes per speech. That, I think, does not bode well for future legislation as well or, frankly, for future governments.

I don't like the fact that the Speaker's power is diminished, because the Speaker, once reaching the chair, is a person who is neutral. My experience in this House has been generally that the Speaker has been perceived by government and opposition to be neutral. Therefore, when the Speaker makes a decision, there's much more validity to it and much more acceptance of it than when a minister makes that decision, and obviously in this case a minister is able to make the decision under the new rules.

So I lament the fact that the government has once again applied time allocation, once again diminished the role of the opposition and, I think, of the members of the government itself, because today there will be a division of time. It's not that government members wouldn't want to speak, but there was a division agreed to by the three parties where the opposition parties would have more time to speak than the government. There may be some government members who have some concerns about the bill, on either side of the bill. Perhaps they believe it doesn't help workers enough or perhaps they believe that it will hurt business too much.

There's no question we have to address this problem of the unfunded liability. Some will exaggerate its importance, others will diminish its importance. We have to address that; we have to address the competitiveness of the province of Ontario. It's not easy to do it. It's not easy for any government to do that, because we want to ensure, and I think this is the goal of everybody, that those who are genuinely injured on the job receive the benefits to which they're entitled. There is a fear out there that this isn't always the case.



We know it from our constituency offices. There are some people who come in and you really feel good about helping those people because they've been caught in the mess, they've been caught in the entanglement of what we call bureaucratic red tape. There are other people you feel a little bit reluctant to make a telephone call on behalf of because you know from experience in the past perhaps or from other information that's provided that the claim is not nearly so valid. Our desire, I think, as members is to ensure that those claims in fact are valid, that people are paid in an expeditious manner and that they're helped to get back into the workforce through rehabilitation.

I simply draw to the attention of members of the House again that this government is going to be sitting about 20 days this session. That's all that's scheduled that we are sitting. The government has had more time to sit if it would see fit and could, I think, in all validity make a case for time allocation had it been in session for part of the month of September, all of the month of October and of course November and into December.

I'm going to leave the floor, as I indicated, to the member for Mississauga West, Steve Mahoney, who has worked very hard on the issue of WCB matters. He has also produced a paper, because I think often the government will say, "What would your alternative be?" There may be some who disagree with it, but he has taken the time out and studied the system well and has produced a paper. So I will yield the floor to Mr Mahoney, with the viewpoint that I'm disappointed that the government has again applied a time allocation bill.

**Mr Steven W. Mahoney (Mississauga West):** Thank you to my House leader for leaving me about 37 minutes or so to put some concerns on the record.

Let me just first of all, if I might, expand a little bit on what the member for St Catharines was talking about. I've just been delivered some statistics that are quite interesting. I've talked about this before, but I'd like to remind the member from Sudbury East particularly of the—

**Ms Sharon Murdock (Sudbury):** Sudbury.

**Mr Mahoney:** Sudbury, straight. Thank you. She takes it straight. I'd like to remind the member for Sudbury, the parliamentary assistant on this, that the tactic they're using today, time allocation, closure, call it what you want, is one of the two I guess you'd call them *modus operandi* that this government will be clearly remembered for. The other is the process of lumping bills together; it's called an omnibus bill.

Let me just share with you some information: Since this government took office, there have been 19 bills passed through this place using time allocation and closure. Now, you know, I could see it if somebody was filibustering, but you've eliminated the art of filibustering. We all sat here and listened to the member for Welland-Thorold filibuster for, what, 17 days? That's gone.

**Ms Murdock:** Hours.

**Mr Mahoney:** Hours, days—it seemed like days. It might as well have been days. That art is gone, so now

we govern by the clock, and the people should understand that. They maybe don't care too much, as my House leader has said, about people arguing over time allocation. But the fact is, it is the very principle, it is at the root, at the heart of the very principle of the democratic process in a Legislature such as this, and if it is abused or if it is used too often by a government, there is the clear result that you stifle debate, that you say to those who may oppose you, "We're going to shut you down; we're going to cut you off." That in essence is what this government has done. It must be unprecedented.

1710

I can recall in the days of 1987 to 1990 when we had in the Liberal Party—what did we have, Jim?—95, 94 members in this place. I can recall going to the caucus room when you could hardly get in, you certainly couldn't get a chair, and suggesting to the Premier and the cabinet that we should bring in some form of closure. "We've got this massive majority; why don't we use it? The people elected us to govern; why don't we bring it in?" And the argument put forward consistently by our government House leader and by members of cabinet to those of us in the back bench was that we must allow debate, that we cannot be seen to be shoving things down people's throats and we should allow the opposition the opportunity to put their viewpoints across.

It seemed at times that we were being too generous, but it was a principle that we believed in in government, which frustrated many of us, because we had to sit in the large majority on that side of the House and listen to people read the phone book or read messages or just use delay tactics, and we couldn't understand that.

If you want to take a look at the record, go ahead and compare. You guys, this government, have taken the art of time allocation motions to a new level in the province, probably in the country, probably in all of Confederation, I would suggest. That's the only way they can govern.

Let's look at this abbreviated sitting of the Legislature. We came back for a week, we had four days, and we were all so exhausted, we had to take a week off. We know why. It's because the Premier doesn't want to be in this place, because he doesn't want to be in the kitchen when the heat's turned up. So we come back for a week and then we go off for a week.

The fact is that in the abbreviated session of this place, we've had a very important bill on reforming the municipal Planning Act, architected by John Sewell, Bill 163. What do they do? Time allocation.

An extremely important bill, a huge issue for seniors and families in the health care system, is Bill 173 on long-term care. They've taken an idea, the idea of centralizing services, which frankly I think the Minister of Health found in her desk when she arrived on the job four or five years ago, because it was an idea that was actually piloted by the Liberal government, but the difference was we had no plans to shut down volunteer organizations like the Victorian Order of Nurses, the Red Cross and many others, unlike what this government is doing.

They get into a controversy, they take a curve in the

road or a turn in the road, they get themselves into trouble and the only option they have is time allocation, the only way they can govern. It's really quite interesting.

And then WCB. I knew the day we were coming back here—I heard the government House leader today talking about process, saying how patient he had been. I sit in those House leader meetings every Thursday. I'm not going to tell tales out of school, because those meetings are held in good conscience and relations between the three parties, but I would tell you that at no time did I express a desire to the government House leader to unduly delay this bill.

I said we would work through committee. In fact, the parliamentary assistant tells me that we almost made it through the entire bill. She had to tell me because I had to leave. Of course, she may claim that's why they got it through. The point is—

*Interjections.*

**Mr Mahoney:** There may be a point there. Notwithstanding that fact, we were substantially getting through the amendments even up until the point where I had to withdraw from the committee due to other commitments.

We've still got a few weeks left. Why could we not have had more opportunity? Why could we not come in here and have committee of the whole? Instead, what happens is that the government House leader decides that's enough. I presume that the Minister of Labour and the mandarins—maybe it's the former minister, or the new minister, or maybe it's a collaborative agreement between the two of them. But maybe it's the Premier. I never thought of that. I wonder who is running the ship around here.

The Premier says, "We've got to get this Bill 165 through because this is one of the things we're going to pay back Gord Wilson at the OFL and all of the rest of our friends in the labour movement, whom we are gently coaxing back into the stable."

It's really fascinating to see what goes on at your conventions and the speeches, and all of a sudden I see you returning to the rhetoric of the left side of your party that you abandoned, apologizing for all the promises you broke, putting out documents saying really fascinating stuff, "Tommy Douglas Had Bad Press Too." Just take a look at this. This is the Ontario Star. I'm giving you some free publicity here. I just—

*Interjection.*

**Mr Mahoney:** No, it's really quite—"The Rae Government is Leading Ontario to New Prosperity." Whoa. Who wrote that? Who wrote that cockamammy headline? I mean, you can't believe that. The province doesn't believe it. The people out there in all of your ridings don't believe it. I'm sure you go home and answer the telephones in your constituency—maybe you don't. It used to be that you didn't even open the offices. I'm not sure what's going on. But you've got to get the message.

The only way you could ever get a headline like that would be if you printed it yourself. You're going to hurt yourself trying to pat yourself on the back with this stuff. This is an absolute joke, but it's a good joke. I was

looking for the funnies, actually, to see if there are any cartoons in here. It talks about all of the wonderful things that you've supposedly done. Here's one, "NDP Labour Law Works for Ontario." Who told you that? Gord Wilson, I guess.

**The Acting Speaker:** Address your remarks through the Chair, please.

**Mr Mahoney:** Madam Chair, I get a little excited.

Anyway, this is "must" reading because, honest to goodness, this belongs in everyone's library: "Auto Boom," "Good Health." Good Lord, God save me and the province.

**Mr George Mammoliti (Yorkview):** What's he speaking about?

**Mr Mahoney:** What I'm speaking about is his government's absolute incompetence, and as a result of its incompetence the only way, I say to Mr Mammoliti, the target of many these days, I understand, they can govern is through time allocations. In 1991 we had Bill 4 and Bill 143, rent control and the environment, two very contentious issues. "Time-allocate. Can't get it through." In 1992, Bill 40; we all remember that. That's the one you say is working in this so-called newspaper you've put out.

*Interjection.*

**Mr Mahoney:** I'm sorry. Labour-sponsored venture capital, Bill 150; Bill 74, Bill 108, Bill 109, Bill 110, all in the advocacy package. How do you get it through? You time-allocate it because you're incapable of managing a process that will allow for free and open dialogue and democratic process to take place. Then you get into Bill 121. Interesting: Two of these bills are retroactive. You even have to time-allocate retroactive bills. Imagine that. Amazing. Bill 100, regulated health professions. Here's one, Bill 8, casinos. You found it necessary to time-allocate casinos. You are changing the entire nature of this province with a—

*Interjections.*

**Mr Mahoney:** I'm sorry, but you are.

**Mr Kimble Sutherland (Oxford):** We're leading the country in economic growth.

**The Acting Speaker:** The member for Oxford is out of order.

**Mr Mahoney:** Let's have some proper debate, some discussion on these things. Instead, you've got to time-allocate. The member from the Woodstock area has become the greatest apologist—

**Mrs Margaret Marland (Mississauga South):** On a point of order, Madam Speaker: I do not believe there is a quorum present in the House.

**The Acting Speaker:** Would the clerk please determine if a quorum is present.

**Mr Mahoney:** Margaret, I was on a roll.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.



**The Acting Speaker:** The member for Mississauga West may resume his debate.

**Mr Mahoney:** I'm going to have to start over again, I guess.

1720

**Mr Anthony Perruzza (Downsview):** On a point of order, Madam Speaker: I just wanted the opportunity to speak to Mrs Marland's, the member for Mississauga South, point of order. I've been here all day and I haven't seen her and she just walked in the door and called a quorum. That's amazing.

**The Acting Speaker:** That is not a point of order.

**Mr Mahoney:** Maybe we could get on with workers' compensation reform and deal with the bill and with the process that this government is using.

*Interjection.*

**Mr Mahoney:** I'm going to talk about the bill; you can rest assured about that. In fact, I'm not going to take a lot more time other than to tell you, on this list, there are 19 bills that have been time allocated: the casinos; Bill 80—you'll remember that—labour relations on construction; photo-radar, brought to you by Bob Rae's government, Big Brother lives; the social contract, that one I could understand, that one you had no chance of getting agreement from this side of the House, although you did have the third party in bed with you for a while, but then they got the itch and bailed out. We were never there.

Under no circumstances were you going to get that bill without time allocation. You had to do that one; I'll concede that. Auto insurance—the member for Ottawa-Rideau will tell you about Bill 143 I think it was, the Ottawa-Carleton bill, again, had to be time allocated.

Then there is a long list of some 12 or 15 omnibus bills that seem to be the only way that this government can operate. Let me tell you one of the things that I've seen in this time allocation motion that I've not seen in others, that I find really quite interesting. We received this bill at committee yesterday while we were sitting dealing with amendments to Bill 165, the bill that this is all about, the workers' compensation package.

In here it says that the committee will meet on such and such a day and for such a length of time and here's what you will do and here's what you will say. But here—this is interesting—it also says, "The Chair"—and the Chair just happens to be one of the Kitchener-area members in the NDP caucus, Mr Cooper; I'm not sure of his riding, but in any event, he happens to be in the Chair—"may allow only one 20-minute waiting period allowed pursuant to standing order 128(a)." I looked up 128(a), and 128(a) says, "Immediately after the Chair of a standing or select committee has put the question on any motion, there shall be, if requested by a member of the committee"—any member: Liberal, Conservative, New Democrat—"a wait of up to 20 minutes before the vote is recorded."

The reason that was put in the standing orders was to allow for the caucus on the committee to have a meeting to discuss a particular amendment that they might need some additional information on. It's part of the standing

orders of the Ontario Legislature. It's part of the democratic process and part of the right, I would submit, part of the responsibility of a caucus in committee dealing with an amendment to make sure they fully understand the implications of the amendment they might be voting on.

But the government House leader says, "We can't have these people taking 20 minutes out of the committee's time to ask questions of the staff or to get additional information." He not only shut down the opposition with this motion, he shut down the Chair of the resources committee. I don't think I've ever seen that, that I can recall.

If I was the Chair who was supposed to be neutral—the parliamentary assistant would agree with me on that. In fact, I think Mr Cooper has shown neutrality in these hearings; he's gone to great pains not to make partisan comments from the Chair. I respect that. I was a committee Chair when we were in government. I also—you might find it hard to believe, Mr Mills—went to great pains to be non-partisan, to be neutral in sitting in the Chair.

**Mr Perruzza:** When? When?

**Mr Mahoney:** Here—Mr Speaker, nice to see you—we have a motion by the government House leader.

**Mr Perruzza:** When?

**Mr Mahoney:** I think someone has a hiccup over there. You might want to—could you take some water to the member for Downsview, one of the View Brothers?

We have a motion by the government House leader actually muzzling the Chair of a committee. It must be a precedent; it must be. I don't think I've ever seen it. If I were in the Chair as a member of the government caucus, I can tell you that I would be letting the government House leader know that I don't appreciate it. He's not only stifled us; he's stifling members of his own committee.

On the issue that we're going to be debating—and today, for members who constantly ask what I'm debating about, is a debate on time allocation on the bill—we're going to have two and a half hours at third reading to debate the pros and cons of Bill 165. I would hope to have an opportunity during that period to deal with much of the substance around Bill 165, around workers' compensation reform, around issues like the worker health and safety agency, around issues like the industrial disease panels and many of the reports that we're starting to see come out. All of these have a great impact on the cost and the future operating of the Workers' Compensation Board. I will be dealing with those in greater detail when we get to third reading, but I want to touch on a couple of points about this process.

What has really become frustrating is that there was a package of amendments—I don't have them all here; they're too heavy to carry around; they're about that thick. It's quite amazing. I'm getting a bad back lugging them around. The government put in more amendments than the opposition parties combined. That's absolutely bizarre. Why didn't you get it right the first time? Why didn't you withdraw the bill and rewrite the thing so you

could bring it in with all of the amendments you wanted in it?

We put some amendments forward that I think were very reasonable, that were not even of a partisan nature. One of them I was asking the Minister of Labour about in the question period today. We put an amendment forward that—I'm just looking for it here—would have included an amendment to section 56(1) of the Workers' Compensation Act as set out in section 11 of the bill. The amendment would allow it to read as follows: "Four directors representative of workers, including one member of the Ontario Network of Injured Workers, to be appointed by the Lieutenant Governor in Council."

To the Minister of Labour, who gave us some hope today that she might even consider this in spite of the committee's defeating of this amendment, what that effectively would have done would have been to ensure, right in the act, that the Ontario Network of Injured Workers—and you know them; Karl Crevar has dedicated his working life to trying to help injured workers, and I have a lot of respect for the work that Karl has done and his group has done in trying to bring about reform and trying to help injured workers—Karl's group, would have been at the table.

The member for Mississauga North and I were both in committee when we put this amendment forward, and I was truly astounded to see—

**Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs):** Yes, sure you were.

**Mr Mahoney:** I was. I wish that the Minister of—what are you minister of now? Northern affairs or something? I don't know; it keeps changing. Has there been a shuffle this afternoon? What time is it? Are you still in cabinet? I wish he had been there because he too would have been somewhat surprised, probably appalled, certainly surprised to see the NDP members of his committee—what were there, six of them plus the parliamentary assistant?—all voting against—

*Interjection.*

**Mr Mahoney:** No, that's right; the member from Oshawa or whatever, Mr Mills, absented himself and was not there for that vote. The rest of them voted to defeat this amendment. Quite shocking. Karl Crevar was in the audience; I think he was quite shocked as well and quite appalled.

Minister, you said in question period today—if I can paraphrase you, and I'll try to be careful—that you are prepared to consider a seat for injured workers on the board. I think that would be a fair analysis of your answer.

I hope you do more than just consider it, because I spent about six months travelling around the province and across Canada meeting with injured workers, meeting with workers' comp advocates, meeting with labour folks, meeting with management people, meeting with professionals who work within the various WCB systems in Alberta, Manitoba, Saskatchewan and British Columbia, as well as eight communities in the province of Ontario, and we put out our report. It's right here. We'll be glad,

Minister, to autograph it and send you a copy. It's nice bedtime reading.

1730

We listened to the injured workers because one message they gave to us was who better to ask how to fix the workers' compensation system than someone who has lived in it, been trapped in it, been dominated by it, had to go through all of the different aspects and the frustrations that go on with injured workers.

The service level to injured workers is absolutely shameful. I don't blame the government for that. In fact, I would tell you and say it quite clearly that I believe our party and the Conservative Party and your party should equally share the blame for the problems that exist at the workers' compensation system. We are all culpable. There is enough blame to go around. But you have the limos, you have the ministries, you have the responsibility to fix it and you have the opportunity. That's what's so amazing, for a New Democratic Party to stand up in this province and put a bill forward that is just lip-service, that just tinkers with the edges.

When I used to listen to the member from Sudbury East eloquently speak, who was right up here—I think this seat right here in the corner—when she would rant and rave about deeming and Bill 162, when she would lead charges of injured workers, it was quite passionate, quite entertaining. I actually believed her. I think injured workers believed her. But, I say to the member, maybe Bob Rae didn't believe you. I don't understand. What happened? You had a chance. Even I recommend that we stop the nonsense of deeming. I'm prepared to recognize when a mistake was made and to make the changes. Why aren't you?

I seem to recall that member and other members in this caucus standing up here and proudly saying that they would tear up Bill 162, that they would repeal the deeming provisions within Bill 162. Do you remember that? I remember that really clear. It's as if it was yesterday. I wish it was yesterday, then maybe we'd still be in government, but we probably will be again, maybe. Who knows? The people will decide that. But I can promise you one thing: You won't be. It'll be another party that'll have to clean up the mess you've created. It'll have to put in place some reforms in workers' compensation that will be meaningful, that will make sense.

We hear a lot of talk about the unfunded liability. We too have a plan. I'm very interested to hear the critic for the Progressive Conservative Party make—I congratulate her for what I thought was a very thoughtful speech. I thought she was reading *Back to the Future*. I was quite amazed.

Do you know, Mr Speaker, when we were at committee, this document was talked about so much in committee dealing with Bill 165 that the member for Mississauga North put a motion wherein he said, "Shall the report carry?" We kept Mr What's-His-Name—what's your riding? Randy Hope, he used to say—I don't know what he was going on about, DeLoreans and all of this stuff, because the report is entitled *Back to the Future*. He was constantly gumming through this report, looking for



things to quote to ask me questions about. That's quite flattering. I appreciate the fact that you read it. I just wish you'd listened. I wish you'd take some of the ideas in here which were not my ideas, they were ideas that we compiled from listening to people right around the province. I admit, there's not a lot of original thinking—

**Hon Mr Pouliot:** Well.

**Mr Mahoney:** Well, I admit that. I don't have a problem admitting that. What there is is a compilation of recommendations and ideas from injured workers, from small business owners, from trade labour people, from health providers. There's a lot of their ideas. They have the original ideas. Our job in government is to decipher those, to decide which ones we think are doable, which ones we think we can support and put them forward as alternatives. That's not what is happening.

I don't ask you to make the quantum leap from your current position to being a new thinker. I don't ask for that to happen. That's too much to ask. I simply ask you to listen to the people.

**Mr Bob Mackenzie (Hamilton East):** That's exactly what we've done.

**Mr Mahoney:** I recognize the member thinks that's funny because the truth is often the funniest thing you can say. But I don't ask you to make that huge movement in your psyche. Just listen. It's nice to see the former Minister of Labour here, who at least, I would say, is one member of that caucus who has been true to his roots, and I respect him for that. I have very seldom agreed with him, but I respect him because he has been true to his roots. It's one of the things in this Ontario Star that was put out that might have a little ring of truth: "Mackenzie's record is a tribute to the working people of Ontario." I don't have a problem with that.

*Applause.*

**Mr Mahoney:** Absolutely. Maybe Bob paid for this, because I notice he's got an ad in here. What's the ad? "You can reach Bob Mackenzie at his constituency"—I can't find it, but he's got a nice quarter-page section in here with an advertisement for Bob. But I congratulate him for being true to his principles and I don't have a problem with that. I happen to think he's dead wrong on a lot of the issues. So be it, that's what this great democracy is all about.

We think that there are a lot of things that could have been done, that should have been done, that still can be done, that must be done, that we intend to do if we're given the opportunity to do it, to make the workers' compensation system accountable to the people who pay the bills and accountable to the people who need the service. The people who need the service are the injured workers.

*Interjection.*

**Mr Mahoney:** One of the big differences between our party and the party of the—whatever you are, third party in the Legislature.

**Hon Mr Pouliot:** The no-name.

**Mr Mahoney:** The no-name. What are they? Are they progressive? They've eliminated those things. The generic party of the right. One of the differences with that party

is—oh my God, look, they're both there—that party recommends reducing benefits to injured workers.

**Mr Chris Stockwell (Etobicoke West):** And—

**Mr Mahoney:** You let me handle the "ands." They recommend reducing benefits. We do not. We believe that this system must be reformed and must not be reformed on the backs of injured workers.

In fact, when I travelled and went around the outreach tour that I did, I listened to CEOs of major corporations saying to me: "We do not want an injured worker to suffer financially or in any other way. We want to get them rehabilitated. We want them back to work. We want them off WCB. We want them to retain their dignity." They said this. They said this voluntarily in many meetings that I had with them.

I said to them, "If you really believe that, why would you want to reduce the benefit level?" It's 90% of your take-home pay. I would just point out that there has been a lot of talk about that percentage being tax-free. People get upset about that. You might recall there was a program on W5 saying they get 90% of their pay tax-free. It's 90% of their take-home pay. Take-home pay is after taxes. I really think that the rhetoric of the right has got to stop on this thing.

**Hon Mr Pouliot:** Oh, oh, oh.

**Mr Mahoney:** No, I think it does, I say to the minister, because the fact of the matter is, their mortgage payments don't go down; their car payments don't go down; the costs of raising families don't go down; the cost of food doesn't go down. Yet we should expect them to continue making all of their commitments in life. Due to an injury that was just an accident that happened, we should expect them to suffer. Frankly, I, my party and my leader, Lyn McLeod, reject that particular part of the platform of the no-name party. We think it's absolutely the wrong message that needs to be sent.

Having said that, we also think that there are a number of things that must be done in a holistic way to reform this system. We hear a lot of talk about the unfunded liability. Again, the no-name party says it has got to be funded 100% today. We hear the business lobby say, "You've got to fund it 100%." We hear organized labour say: "You don't even have to fund it. Don't worry about it. It's not a problem." Frankly, I think both those positions are wrong. I think it's a problem. It's growing at a rate between \$1 million and \$2 million a day, depending on who you want to believe.

1740

**Mr Stockwell:** What were you doing when you were in government?

**Mr Mahoney:** If the member for Etobicoke West wanted to speak, he should have made a deal with his critic to give him time. I'd be delighted, but I don't have much left.

The fact is, we've got to put the unfunded liability in a proper context. What it is is the difference between the long-term commitments of the board and the assets, about \$17.2 billion in long-term commitments and about \$6.8 billion in assets. What we want to do is try to balance that.

We've put in place a number of recommendations that would do that: better management of the investment of \$6.8 billion. We think private sector investors should be given an opportunity to invest these funds. The minister can laugh, but the fact is that the WCB investment fund returned about 12% on average last year. The teachers' fund returned 22%. There's a 10% spread, and 10% of \$6.8 billion is a lot of money to be left on the table. So we think those things can be done.

We've recommended, for example, that two weeks of voluntary self-insurance must be agreed to by the worker—Minister, or former Minister, listen to this—and agreed to by the employer. The worker will not lose a dime; the worker will continue to be paid. If neither side agrees, then open the file. But 72% of the claims are done, dealt with, finished in two weeks. Statistically that's there.

Why are we opening files for two weeks if there is concurrence with both parties? I would not ask an injured worker to take a risk of losing a paycheque. I'm not asking for the employers to suffer needlessly. Let's have an agreement of two weeks' self-insurance. You file the injury, you file the forms that have to be filed, and if in two weeks it's resolved, you never opened the file. To me, that's common sense.

I don't understand why a bureaucracy feels that it must under all circumstances say: "Oops, we've got an injury. Open a file. Let's go. Get the stamps out. Let's do this. Let's shuffle some paper. We're not giving out that. We're going to have an appeal. We're going to send him to WCAT. We're going to do all of these things." What is this nonsense? Let's give it a try. If it doesn't work, let's find out why. But I really believe it would work, and the people who talked to me when we compiled our report thought it would work too.

I want to just touch briefly on this insistence—and I heard Gord Wilson came down to London apparently, in a hurry to dispute some of the things we were saying at the committee. We heard people come before that committee. I remember one group in particular. I believe it was Local 555 of the CAW that came before the committee in London, and they went through the bill.

I think the member for Mississauga North has pointed out that there are 36 sections to the bill, of which 11 are housekeeping. That leaves 25 that are substantive. This local of the CAW disagreed with 19 of them: 19 of the 25 they wanted amendments to. That was really interesting. They made their presentation on the 19 amendments to the different sections that they wanted, then they concluded by saying, "Having said that we disagree with 19 sections of the bill, we hope you're going to pass the bill." Just unbelievable.

You can only conclude one thing: that there is a tremendous amount of partisanship coming before the committee in the form of groups such as that local, and I'm not convinced that the people who presented clearly and properly and fairly represented the views of all the members of that local. As a matter of fact, I know from some past history that very often the views of the leadership in the trade labour movement do not reflect the views of the men and the women on the shop floor. I

have to believe that indeed was the case here. How can you disagree with 19 out of 25 substantive sections to a bill and then insist that the government pass it? Clearly amazing.

Gord Wilson came in and said, "This bill mirrors the Premier's Labour-Management Advisory Committee deal." Let me tell you, folks, if you've ever been to the Canadian National Exhibition and you've seen one of those funny mirrors that make me look like I'm six foot two and 160 pounds, that's about how close it mirrored the PLMAC agreement. It was not even close to mirroring it; in many cases it was totally and utterly contrary, a betrayal by this Premier of the business community and of injured workers of this province.

**Ms Murdock:** This time allocation motion has been brought not, as the opposition would have those people who are watching out there, because of our need, or our seeming need, according to them, to call time allocation motions, but because we have spent three weeks of committee during the summer, into September, we have spent a total of four weeks in committee since the House has been in place trying to get the amendments on this bill passed. That, as our House leader has stated, is 120 hours total time of listening to hundreds of deputants tell us about what they wanted changed in the bill that was presented to them, in Bill 165, and also the changes that we found were necessary because of some technical errors that were made.

We have no difficulty with calling time allocation, because—and I will be happy to explain to the opposition members—when we came into this government, the people, we believe, sent us here to do work. They sent us here to do a job and represent them on their behalf. We have, in my view, not been able to do that a lot of the time for reasons that have been pretty evident, since 1991 especially, when it cost \$220,000 a day to keep this place in operation.

It is reprehensible for anyone, and I don't care which party it is, to hold up work in this House. When we have to listen, as we did to the leader of the third party, listing alphabetically all the lakes, streams and rivers in this province, and then have it repeated by the Clerk at the table so that it took up hours and days of this House time, you're darn right, I have no difficulties calling time allocation.

Constantly we have listened to the opposition tell us about the member from—

*Interjections.*

**Ms Murdock:** —just a moment—Welland-Thorold, our own member from Welland-Thorold, who used 17 hours of this House's time on the auto insurance bill. They very well know, those of them that were here, that it was on special consideration by the House where they granted unanimous consent to go past 12 midnight of the clock, and only on that condition was the member allowed to continue. He did not use up the House time, a full 17 hours of House time.

So the implication that the waste that has gone on is a historical thing for us is not true. If we have to bring in time allocation motions, thousands of them, in order to do



work in this House as the constituents in this province expect us to do, then we will do that.

There is no question that there is reform necessary in the Workers' Compensation Board. All three parties and everyone that appeared before our committee this summer told us that time and time again. The injured workers aren't happy, the employers aren't happy, the advocates aren't happy. There is a lot of reform needed. Never have we said that this bill is a panacea for all the ills of the board, never. Frankly, I don't think any government could come up with one that would cure all the ills of the board.

Hence, we have called upon a royal commission to look at that very issue, and its mandate, as the members of this House know, is very broad. It is going to look at the very issues of payment to the injured worker and how it should go. It's going to look at other kinds of income replacement and terms of comprehensive disability. It's going to look at all of those things.

1750

Now, if this bill was the panacea and the resolution of all of the problems at workers' compensation, we would have no need for a royal commission. It would be done. So I think the royal commission is extremely important in terms of looking at how the board needs to be changed.

The unfunded liability has been mentioned quite frequently. It is certainly a problem, and that's one of the reasons why we're bringing this bill in, for the very reason that you cannot continue to have growth of an unfunded liability to the degree it was happening. We are sitting looking at that now and are proud, actually, that just this week the report came out and it's \$0.4 million less than it was in the same period last year. So the growth is going down, but that's still not good enough; hence the reason we're bringing forth this bill.

The other thing is the financial accountability and responsibility provisions. We've heard much of them. The original PLMAC agreement, as has been mentioned, wanted it and suggested that it be in the purpose clause. Our bill did not do that. We listened to the people in the public hearings who told us that's what they wanted, and we did finally, in our amendments, include it in the purpose clause.

That was the whole point of the three weeks of hearings. To be made fun of and laughed at by the opposition members for a government bringing in amendments to its own bill is, I think, really, really sadly misrepresenting the purpose of public hearings, because in the public hearings, people come forward and tell us what they would like to see changed from the bill that the government has brought forward. Therefore, if the government has been listening, then the government will make those changes. And we did in many instances make the changes that were requested by the people who made representations to us.

We did not make all of the changes that were requested of us, and I think that makes inordinate good sense. Obviously, to be a leader and to have any kind of management skills, you take a position and you proceed

with that position and you make changes that make a good deal of sense, but you're not going to move from the basic plan. I would say that for the purposes of controlling the unfunded liability—which is not a deficit, I might reinforce to those people who are listening—to reduce the unfunded liability, eventually to reduce it so significantly that there will be money for injured workers' claims and for the kinds of injuries and diseases that future injured workers will suffer, that has to be done.

The other area that needs to be changed, and it has to be done legislatively, as we know, is the governance issue. Right now the board is being handled for us and managed by someone who the member of the third party says is one of our "political" appointments, and I put the word "political" in quotation marks because if Kenneth Copeland is one of our political appointments, then I think maybe the third party should relook at who our political appointments are. I mean, Ken Copeland is a very, very strong management person and he is handling the board while we are going through this bill and waiting before it gets third reading and passage.

So the governance is very important, because right now, under the act, we are not operating the way the act is telling us to. So the governance issue has to be changed so that the bipartite nature of labour-management relations in the 1990s and in the future is going to take place. If we don't have labour and management learning how to work together, then I would say the future of Ontario and the future of Canada is in serious, serious trouble. And they will do that. And while they are setting up their protocols in order to do that, the government of the day for the one year will have supervision of the board in that period of time.

Much has been made in committee, and I'm sure if anyone takes the Hansards they'll see it—they're claiming that we want control of the Workers' Compensation Board and that we want to tell them what to do and set up policies. No government in their right mind wants to control the Workers' Compensation Board in the state it is in now.

As a consequence, we have to have a process in place that while the board members set up their protocols and how they're going to operate in situations where they cannot come to a consensual agreement, the minister would then be able to have some control of giving a direction to the board in the meantime. Once the board has figured out what those protocols are, that, at the end of a year, is rescinded and we move on.

Lastly—well, second-lastly—the adjudication aspect of the board automatically means controversy and confrontation. I think that with the whole aspect of return to work and the importance of return to work and getting your employees back on the job quickly, with no lost time if at all possible, then that is a benefit to the employers, the employees, society in general.

If you have a no-lost-time claim, then you don't have premiums raised. You, as the employer, are a lot happier because your assessment rates are reduced the following year based on your accident rate. It serves everybody's purpose. So return to work is imperative, and the mediation process that will result as a consequence of those

return-to-work aspects will take away, I hope, from the adjudicative aspect of the Workers' Compensation Board.

I would like to say, and I'll end with this, that the need for this bill is absolute. It is going to be important to the injured worker, and it's going to be important to the Workers' Compensation Board. I look forward to the royal commission's results.

As I stated at the beginning, and I'll end with this, if time allocation is necessary to get the work of this House done, then so be it.

**The Speaker (Hon David Warner):** Further debate? Mr Charlton has moved government notice of motion number 37, a resolution which stands in his name. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members: a 15-minute bell.

*The division bells rang from 1757 to 1812.*

**The Speaker:** Would all members please take their seats. All those in favour of Mr Charlton's motion should please rise, one by one.

**Ayes**

Abel, Bisson, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen,

Dadamo, Duignan, Farnan, Fletcher, Frankford, Gigantes, Hampton, Hansen, Harrington, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

**The Speaker:** All those opposed to Mr Charlton's motion should please rise, one by one.

**Nays**

Beer, Bradley, Carr, Conway, Crozier, Eddy, Eves, Grandmaître, Henderson, Hodgson, Kwinter, Mahoney, McClelland, McGuinty, Miclash, Morin, O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poirier, Poole, Ramsay, Ruprecht, Stockwell, Sullivan, Turnbull, Witmer.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 60, the nays 26.

**The Speaker:** I declare the motion carried.

It being past 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

*The House adjourned at 1816.*

## ERRATUM

No.	Page	Column	Line	Should read:
156	7720	2	53	three reasons: (1) so we don't go bankrupt, (2) so we



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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 23 November 1994

# Journal des débats (Hansard)

Mercredi 23 novembre 1994



Speaker  
Honourable David Warner

Président  
L'honorable David Warner

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

*50th anniversary*

*1944–1994*

*50<sup>e</sup> anniversaire*



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 23 November 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 23 novembre 1994

*The House met at 1332.*

*Prayers.*

## MEMBERS' STATEMENTS

### REGULATION OF MORTGAGE BROKERS

**Mr Gerry Phillips (Scarborough-Agincourt):** I want to say that I think we're close to a solution on a problem that I've been dealing with and that I think other members of the Legislature have had occasion to deal with, and that is the scam loan brokers in this province.

You may be aware that there are literally hundreds of people who have been ripped off by, I think the best description is, scam artists who say: "Need a loan? We can get you a loan." You then get a promise of a loan from these individuals. They virtually commit that they've got the loan and say it's simply a matter now of coming down and signing the piece of paper.

People get down there and then they're asked to give a \$300 or \$400 or \$500 fee. They find out one or two days later that the loan doesn't materialize and that the fee is gone.

I have literally hundreds of letters and I suspect other members of the Legislature also have similar letters.

You may recall that I introduced a private member's bill. It passed second reading here and then essentially was shelved. I'm pleased to say that the government has indicated it has some amendments that it's going to propose to the bill, which as I understand them seem acceptable, certainly to myself. It is my hope that we can deal with these amendments over the next two weeks so that by the time Christmas comes around, there'll certainly be some good news for future people who might get ripped off and hopefully some redress for individuals who may already currently have been ripped off.

### NEGATIVE OPTION MARKETING

**Mr Cameron Jackson (Burlington South):** Every day, Ontarians receive junk mail which they regularly throw out without reading. What increasing numbers of consumers are finding, however, is that in so doing they are unknowingly consenting to be continually billed for a product or service such as pest control, extra cable channels and monthly book clubs.

This is called negative option marketing, because the onus is placed on the consumer to say, "No, I don't want what you're selling," by way of a phone call or a letter to the company before he or she is taken off the direct-billing treadmill.

According to the Stop Junk Mail Association, every year more than 44% of the 55 billion mail order catalogues and other pieces of third-class mail sent to consumers goes directly unread into the trash.

Because negative option marketing enters our homes as

third-class mail, the fine print is unread and many vulnerable consumers such as seniors, those with disabilities and others on fixed incomes are then faced with unwanted and unbudgeted bills they can barely afford.

The Consumers' Association of Canada recommends that only the positive consent option, where consumers make an informed request to purchase a product or service, be allowed. Unfortunately, Ontario lags behind Quebec and Prince Edward Island, which already have forms of this legislation within their consumer protection acts.

I call on the NDP Minister of Consumer and Commercial Relations, Marilyn Churley, to take time out of her busy promotion of casino gambling in Ontario to protect vulnerable and unsuspecting consumers who are forced to gamble with their personal budgets as a result of being caught in the money trap of negative option marketing.

### WATER QUALITY

**Mr Norm Jamison (Norfolk):** In the past few weeks, I've received a number of calls in my riding regarding the auditor's report on water quality. Much of this concern is due to the reactionary opposition response. Our government is acting on all of these concerns. I know our water is safe and I want to assure the residents of Haldimand-Norfolk that this is the case.

In my own riding, scores of improvements have been made to ensure the safety of our drinking water. In fact, more than \$52 million has been spent on water projects in Haldimand-Norfolk. Previous to 1990, water treatment plants in Delhi, Dunnville, Port Dover and Port Rowan experienced problems, and we've been constantly investing in those plants to ensure water quality. Recently, I opened a new \$10-million treatment plant in Port Dover, with another \$500,000 earmarked to upgrade watermains and service to area properties. As for Dunnville, we're investing \$1 million that will improve their sanitation system. In Delhi, we have funded a complete study which is expected within months. In addition, we've also funded \$800,000 to drill a new well for that community.

Since we've taken power, all of those water treatment plants are in compliance with all requirements, and there are more improvements on the way. Since 1990, we have done more than previous governments to ensure water quality.

Just to round out my statement, I would ask that the rhetoric be lessened on this issue.

### WASTE DISPOSAL

**Mr Steven Offer (Mississauga North):** A proposal by the Ontario Waste Management Corp for a treatment plant to handle toxic waste in our province was rejected by the Environmental Assessment Board today.

The Ontario Waste Management Corp was created in



1981 to develop, establish and operate an industrial hazardous waste treatment and disposal facility. Today, this proposal for a hazardous waste treatment plant in the township of West Lincoln was rejected. I recognize that there is a right of appeal by the Ontario Waste Management Corp to this decision, but there is no question that the issue around the disposal of toxic waste remains, and the question is, how is it to be disposed of?

The Ministry of Environment and Energy, the government of Ontario, has a duty, a responsibility to clearly indicate the direction it is to take. This toxic waste must still be disposed of. Will the government permit existing facilities to enhance their capacity to dispose of this waste? Will the government permit this waste to be exported? Clear questions require clear decisions. Issues of the environment and the safety of the people of this province lie in the balance.

I call upon the Minister of Environment to indicate clearly the course of action he is prepared to take in this matter.

1340

#### CLOSURE OF PERTH JAIL

**Mr Leo Jordan (Lanark-Renfrew):** This statement is for the Premier on behalf of every municipality in Lanark county. Our message to the Premier is this: Your government has trumped up the costs of the Perth Jail, downloaded costs to the municipalities and deprived the entire county of an essential service. You have failed to achieve any savings.

When every town in Lanark county came forward to work towards a solution, we faced extreme prejudice against the Perth Jail and a done deal based on grossly exaggerated government accounting figures.

You claim to be reducing staff costs but have shifted these expenses to other facilities. You project a 12% increase in wages over last year, which is impossible under the social contract. Operating expenses which should have been stretched out over five years were crammed into one. Equipment costs were bloated by \$38,000 over last year's figures. Per diem rates were blown out of proportion and occupation levels grossly underestimated. All told, the government has overstated the annual costs by \$218,000.

Premier, we ask today that you look at the real costs and help us work towards a reasonable solution.

#### BEYOND WORDS

**Mr Mike Cooper (Kitchener-Wilmot):** I rise today to tell the members of the Legislature about an organization and a group of individuals who are excited about Jobs Ontario Training. The organization is Beyond Words, and the role they play in the Waterloo region is exactly that—beyond words—but I'll try.

Beyond Words has been operating in the region for the past eight years. For the past year, they have been Jobs Ontario trainers and they have quite a success story to tell. They offer five training courses, which include New Directions Work, Office Literate, Preparing the New Manager, Leadership, and the Sole Support Parent Program. These courses offer a variety of training from basic to advanced computer skills, management and

office skills, production, marketing, graphic design, database management, presentation skills, communication, interactive and interpersonal skills.

In one year of participation in the Jobs Ontario Training program, Beyond Words will have over 130 graduates from their program. On October 25, I had the pleasure of attending the graduation of the most recent group of graduates from the Preparing the New Manager course. They were George Balan, Sherry Loree, Heni Lloyd, Nidal Jazar, Roberto Duran, Michael Klzakowski, Michael Coward, Crista Wright, Jacqueline Lichty, Wolfe Prince and Margaret Hitchcock. These individuals know that Jobs Ontario Training works.

I would again like to offer my congratulations to the graduates and my thanks to Sharon Mackinnon, general manager of Beyond Words, Joanne Young-Evans, and everyone else at Beyond Words.

#### SENIOR CITIZENS

**Mr James J. Bradley (St Catharines):** At a time when the number of seniors in Niagara needing the use of senior citizens' homes is increasing significantly, the government of Ontario is warning of funding cuts that could leave the Niagara region with a shortfall of up to \$4.2 million.

I have received numerous telephone calls and letters from the families and friends of Alzheimer's patients who are alarmed that the cuts that have already taken place have diminished service to these vulnerable individuals. Further cuts by the provincial government of Bob Rae will mean even less care for patients who require almost 24 hours of observation and assistance.

With a larger-than-average seniors population in the Niagara Peninsula, the impact of provincial budget cuts will be devastating to the people of our part of the province. Major layoffs will result, according to the social services and senior citizens department director, Doug Rapelje, with the most vulnerable in our society being hurt the most.

At a time when the Ontario government has millions of dollars for self-congratulatory advertising and when many in its ranks were such vociferous advocates of those in need before being elected to the Ontario Legislature, it is ironic and unacceptable that the Rae government would contemplate a reduction in financial resources for senior citizens.

I call upon the Minister of Health to end the uncertainty and to restore adequate funding for senior citizens' homes in Niagara.

#### INTERIM WASTE AUTHORITY

**Mr David Tilson (Dufferin-Peel):** I rise to inform the House and members of the public listening today that the Interim Waste Authority has once again flexed its muscles and is trying to prevent the public from being heard during the preliminary hearings for the three megadumps being planned by the NDP government for Durham, York and Peel.

The consolidated board will be meeting for the first time in Bolton tomorrow to listen to requests for party status at the environmental assessment hearings. As members of the public will know, party status is basically

reserved for groups and organizations with the financial resources to hire a lawyer to fight on their behalf. This entire process has been taken away from the public because the board does not allow for reasonable individual public participation.

I have personally been told that it is unnecessary for me to attend the preliminary hearings tomorrow and Friday because I will not be called upon to say anything as a participant. Many residents, myself included, have neither the time nor the resources to study the thousands of pages of documents being prepared by the IWA to mount a scientific defence.

The IWA has a blank cheque provided to it by this government to hire all the lawyers and consultants that it wants. That cheque is now over \$75 million to date, with the cost rising every day. From the standpoint of the average person in York, Durham and Peel, it feels like we are fighting a monster that has unlimited resources. To make matters worse, the IWA is using its own money to fight us with and to prevent the public from speaking.

It is one thing my being told that I can't speak; it is incomprehensible that I have been told, "Don't even bother showing up."

#### ADOPTION AWARENESS MONTH

**Mr Tony Martin (Sault Ste Marie):** I would like today to recognize in this Legislature that November is Adoption Awareness Month. The Adoption Council of Ontario, on behalf of one million Ontario citizens who have been touched by adoption, would like to join with them and celebrate the month of November 1994 as Adoption Awareness Month.

By recognizing Adoption Awareness Month, the Adoption Council of Ontario hopes to encourage appropriate celebrations of family-building through adoption, increased public awareness of the plight of children waiting for permanent families and increased public awareness of adoption community issues.

The Adoption Council of Ontario is committed to working as an advocacy group to improve the lives of all parties to adoption. The Adoption Council of Ontario provides support, information and awareness to adoptees, birth parents, adoptive parents and prospective adoptive parents. The council works with several agencies and professionals to improve the lives of adopted people and their families in our communities.

I hope that the citizens of Ontario will recognize the month of November as Adoption Awareness Month and celebrate and honour its importance.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### PROPERTY ASSESSMENT

**Hon Floyd Laughren (Deputy Premier and Minister of Finance):** Later today I will be introducing the Assessment Amendment Act, 1994. This bill will enable the government to put into effect a consensus solution that has been reached to relieve property tax burdens on smaller retail stores in Metropolitan Toronto shopping malls. To protect smaller retailers, the agreement will shift approximately \$8 million in property taxes to the large anchor stores.

The government worked to bring together representatives of the smaller retailers and the anchor tenants, nine months of hard work building bridges between people in order to save jobs, retail jobs that Metro needs. With all sides committed to solving this problem, the government was able to broker what I believe is a fair deal.

#### 1350

As a result of recent rulings by the Assessment Review Board, a store's share of the mall's property taxes has been based on the tenant's portion of the total rent paid by all the mall's tenants, in accordance with the Assessment Act. Previously, stores were assessed according to their share of the mall's total area. Since smaller stores generally pay a higher per-square-foot rate than the larger stores, the Assessment Review Board ruling shifted a large tax burden from the anchors to the smaller retailers. Property tax increases for smaller tenants ranged from 18% to more than 800%. It threatened the survival of the smaller retailers and the thousands of jobs that they provide.

This bill will amend the Assessment Act to allow the Minister of Finance to set a regulation to apportion shopping mall assessments in Metropolitan Toronto. It will increase taxes for anchor stores by \$8 million and reduce taxes for the smaller stores by the same amount.

I hope opposition members will cooperate in this effort to produce a speedy solution for smaller retailers in Metro Toronto malls.

In closing, I want to thank the representatives of the anchor stores, who've been very helpful, as well as the Fair Assessment Coalition Toronto, affectionately known as FACT, which represents the smaller retailers, for their work in developing this compromise to provide stability for this vital part of Ontario's economy. Both sides worked extremely hard to fashion this compromise.

**Mrs Elinor Caplan (Oriole):** I was concerned that this legislation was not going to be tabled before the House adjourned, and in fact there are just two days left in which to table new legislation.

I want to say to the minister that I congratulate the Fair Assessment Coalition, the representatives of the anchor stores and those who worked out this consensus solution. The reason for my concern was that the solution that has been found, while it is a consensus, is not unanimous and I was worried that the government would get cold feet about introducing it, because the truth is, not everyone agrees.

In fact—and this is fact—many small businesses will still be paying more, significantly more, than what they can afford. They are struggling to hang on to their businesses. We know from StatsCan that it is in the small business sector where we are seeing jobs created, and this sector, particularly those in malls that are suffering from this reapportionment, will see jobs lost, notwithstanding this legislation, because of the reapportionment decision.

Those store owners, like many across the province, are feeling the burden of NDP tax increases during their mandate.

**Mr Jim Wiseman (Durham West):** Tell your pals in Ottawa to stabilize the interest rates.



**The Speaker (Hon David Warner):** Order.

**Mrs Caplan:** People are worried that their businesses will go bankrupt and that their jobs will disappear.

**Mr Wiseman:** We took away the commercial concentration tax and the tire tax.

**The Speaker:** The member for Durham West is out of order.

**Mrs Caplan:** Mall apportionment and reapportionment are all about taxes, and I can say to you that we will cooperate in all ways possible to see that this legislation is passed through this House before the end of the session. But I want to point out to the government House leader that we would expect that this would stand alone and that you would not use this as a bargaining chip in other discussions with the opposition.

I said to the members of the Fair Assessment Coalition that I would withdraw the legislation that I tabled and would expedite this if the Finance minister tabled his before the end of the session. That has been done and I will be withdrawing my bill as a result.

The Treasurer says this is a fair deal, and I want to say that most of those who support the deal feel that it is better than the alternative. Many of them feel that while everyone gave a little bit on this, the real issue—the problem of high taxes, the problem of high business tax and commercial assessment issues—has not been resolved, and it's my view that a first priority must be commercial property tax relief.

We know that those retailers in Fairview Mall who are in Oriole riding are supportive of this. The Fair Assessment Coalition had a meeting last week that I attended and they were assured that if the government came forward with its legislation, we would hope to see that passed before the end of the session.

I would repeat that the real issue of high property tax levels has not been addressed, and if we're going to see revitalization, particularly in the small business sector—

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** Who raised those?

**Mrs Caplan:** The minister says, "Who raised them?" The NDP tax increases over the last four years have killed small businesses, and I would say to him it's no laughing matter. On behalf of the small businesses which will receive some relief as a result of this, I say to the government that this legislation is worth supporting but it does not solve the entire problem.

**Hon Mr Wildman:** Talk about the pot calling the kettle black.

**The Speaker:** Order. The member for Algoma, please come to order.

**Mr Gerry Phillips (Scarborough-Agincourt):** I just want to add my thoughts. I think this particular problem is symptomatic of a whole series of tax issues going on across Ontario, particularly in Metro Toronto. If one reads the Board of Trade of Metropolitan Toronto's submission, it will point out that Metro Toronto has lost 200,000 jobs since 1989, roughly 15% of the jobs in Metropolitan Toronto. As a matter of fact, even here in

1994, where the rest of Ontario is seeing good job growth, Metro Toronto actually continues to lose jobs—200,000 fewer jobs.

The board of trade would say to us and others that there is a major problem with taxation on businesses in Metro Toronto. I think many assumed the Fair Tax Commission, with I guess a budget of roughly \$7 million, was going to find a solution. It now appears that's not the case. I would just say that businesses in Metro Toronto are looking to this government to find some solutions to the job-killing situation they find themselves in right now.

**Mr David Johnson (Don Mills):** The government members are having fun with the Liberals because it was the Liberal Party that introduced the commercial concentration tax. I have to concur with the government in that respect. That was the most burdensome tax on business in the Metropolitan Toronto region. But before, I must say, they pat themselves on the back too much, the facts of this particular situation indicate that this problem arose a year ago. I don't know what the definition of the word "broker" is. The government's patting itself for being a broker, but essentially the government has sat on the sidelines, thrown the problem to the retailers, thrown the problem to the anchors and said: "That's your problem. You solve it."

To the credit of the small retailers and to the credit of the anchors, they have come up with not one but two solutions: one for 1994, which has already been implemented, and one that we'll see in this particular bill for the years ahead. But the credit there is due to FACT, which represents the small retailers, and to the anchors, led primarily by Hudson's Bay.

That's where the initiative has come from. The initiative has not come from this government, nor has the initiative come from this government in terms of the broader issue of taxation, of assessment within Metropolitan Toronto. And you know something? Both parties are right. The anchors are right; the retailers are right: They both pay too much in taxes.

The Metropolitan Toronto board of trade has issued a booklet that's entitled *Killing the Golden Goose*, and the subtitle is *How High Business Property Taxes Are Suppressing Metropolitan Toronto's Economic Recovery*. That's what's happening: over 200,000 fewer jobs today than five years ago in Metropolitan Toronto; vacant industrial buildings, vacant commercial buildings.

Why? The Metropolitan Toronto board of trade says it's high property taxes because of the antiquated assessment system that this government refuses to address; high taxes because of school taxes; high taxes because of the welfare burden on the property tax. Those are the conclusions of the Metropolitan Toronto board of trade. That's what's killing jobs in Metropolitan Toronto.

Does the board of trade talk about Jobs Ontario? Do they anywhere in this booklet mention Jobs Ontario? No. They know what the real problems are in Metropolitan Toronto: the assessment system, the high taxes. Last year, in Scarborough there were 42,000 property appeals; 24,000 appeals in North York; 11,000 property assessment appeals in the city of Etobicoke. In the city of

Toronto there are hundreds of millions of dollars of business assessment under appeal as we sit here. Is the government addressing these problems? No. Sweep it under the carpet. Let time go by. Ignore the problems.

1400

The city of Scarborough has hired an individual to appeal property taxes in the hope that with lower taxes businesses will stay in Scarborough. I have a letter from the mayor of Scarborough. She is raising an issue with regard to a large printing company in Scarborough. This printing company has hired a consultant to find a location outside of Metropolitan Toronto. Some 200 jobs, \$353,000 in tax revenue and 160,000 square feet of vacant industrial space, and the minister will not even meet with the mayor of Scarborough to discuss this most pressing issue.

**Mr Chris Stockwell (Etobicoke West):** On a more personal note, I would like to thank the Treasurer for keeping us abreast at least of the negotiations and the ongoing letter writing that is taking place. I will note the Treasurer offered us this information a couple of weeks ago that a deal was taking place and in fact a deal had been struck. I'd like to thank the Treasurer for doing that. We in this party appreciate being kept abreast.

We will promise that we will not, as the member for Oriole did, simply lift your piece of legislation, put their name on it and submit it as their solution to a problem that she had nothing to do with in arriving at. That, my friends, is not the way politics is played, in my opinion. It is a partisan approach that is used by the member for Oriole to score points on her behalf that I find repugnant.

#### ORAL QUESTIONS

##### MINISTRY OF TRANSPORTATION CONTRACTS

**Mr Gerry Phillips (Scarborough-Agincourt):** My question was going to be to the Premier, but in his absence it will be to the Minister of Transportation and has to do with Highway 407, which is, as I think most people in the province know, the largest contract ever awarded in the province. At the time the negotiations were going on, the minister will remember that the government committed that it would release the details of that agreement. We have yet to see the details of that agreement. The question to the minister today is: Will you undertake, forthwith, to release the promised details of the Highway 407 contract?

**Hon Mike Farnan (Minister of Transportation):** When we were planning to deliver Highway 407 in an innovative and creative way, the private sector firms demanded that we keep any bids received confidential. In response to this demand, the request for proposals we released clearly stipulated that bids would remain in fact confidential. I would explain to the member that confidential means that you do not disclose it.

The bids we received contain substantial commercial information about the consortia involved. Therefore, to release the bids would offend the province's freedom of information and privacy legislation. Releasing the bids would also be in violation of good contract management and the RFP practices. I think that very clearly speaks for itself.

**Mr Phillips:** I can almost guarantee you that you will not be able to stand on that position. The people of Ontario are going to demand to know the details of this contract. I will go further and say that the previous minister, in the House, in answers to questions in the House, guaranteed that we would get this information. Among other things, he said: "Within a matter of three or four weeks we are hopeful that all the details will be released. We will release all that is known and said."

What we've got here is an attempt to hide from the people of Ontario the important parts of the largest single contract ever awarded in the province. This is ridiculous. The people of Ontario deserve to know the details of that contract. You're spending \$1 billion of their money, and it is quite permissible to release that information. You have an opportunity to release that information.

I will say again to the minister: Will you undertake to fulfil the specific commitment made by the previous Minister of Transportation to let the people of Ontario know all of the details of this massive contract?

**Hon Mr Farnan:** Contracts, as I explained, in this particular project contain proprietary information, information that is of significant commercial value to the consortia involved. If indeed the private companies, the private corporations, were prepared to release the information, to break the confidentiality of the agreement, that would be their business and their right, but we have a process in which confidentiality was a significant component of that process. When you enter into a process, you enter into it with integrity and the reality that you will follow through on the commitments that you make. We would be breaking commitments if indeed we broke the confidentiality component.

**Mr Phillips:** It is absolutely unacceptable that you entered into an agreement where you're not prepared to disclose things that are absolutely fundamental to the people of Ontario to know. Why you would ever, ever have agreed to that, I don't know. Why you structured the proposal that way, I don't know. It is crazy that we spend \$1 billion worth of taxpayers' money and you're unwilling to disclose the details of it.

We're told there are escalator clauses in that contract that are important for the people of Ontario to know about. You've said this was going to be a model that we can use around the rest of the world. The world is going to be laughing at you when you're unprepared to tell the people who are paying for this the details of it.

I repeat to the minister, it is clear that you can release data under this agreement. Will you today commit to tell the people of Ontario the important details of this huge contract and stop, if I may say, stonewalling the important public business of this province?

**Hon Mr Farnan:** Let me suggest to this member the process that was followed: a team of deputy ministers to select the winning process; a committee that was supported by an interministerial advisory committee of senior managers, which in turn was supported by six evaluation teams which were assisted by external engineering, financial and legal advisers. Both proponents were given the opportunity to present their proposals to the evaluation teams and the selection committees. Price Water-



house was retained as a process consultant. They subsequently certified their complete and unequivocal satisfaction with the adherence to the evaluation methodology and the process.

This is a process that was very, very carefully designed for fairness and objectivity, and it is underlined by the endorsement of Price Waterhouse, a firm of irrefutable excellence. For the member to be questioning such a process and such an endorsement simply doesn't hold water.

**The Speaker (Hon David Warner):** New question.

**Mr Steven W. Mahoney (Mississauga West):** My question is to the Deputy Premier. It's a question, I think, that goes right to the integrity indeed of your government.

Mr Deputy Premier, I'm sure you're aware of the very serious allegations which were contained in the Toronto newspapers this morning regarding the fund-raising activities of the New Democratic Party. Your Premier will remember, and you will remember, that there was a fund-raising dinner which was held in the Premier's honour last January 20, and this fund-raiser was organized by Local 183.

According to newspaper reports, the head of an Ontario construction company says he was approached by a senior union official. That official told him, "You are a big company and you should buy a table for the Bob Rae dinner. Make sure you buy some tickets or we will make lots of trouble for you," the whole time waving his fist at this individual. This is a very serious allegation. Threats of violence and intimidation have been alleged.

To the minister, are you aware if the Premier has obtained a copy of this letter, and if so, has he undertaken an investigation into this matter?

**Hon Floyd Laughren (Deputy Premier and Minister of Finance):** First of all, I don't know if the Premier has received a copy of that letter, but I appreciate the fact that the member from Mississauga West quite accurately uses the words "alleged," "allegations." I think that's the way questions such as this should be put in this assembly, and I would simply reinforce that aspect of the issue, that certain allegations have been made. I don't know whether those allegations are correct or not, and I suspect that the member opposite doesn't either.

1410

**Mr Mahoney:** It appears that we all know that the Premier indeed attended the fund-raiser. The money was in fact raised in his name. Allegedly an individual was threatened and intimidated in the Premier's name, and I think the Premier frankly has a responsibility to get to the bottom of this. People went out and threatened at least one company, in the allegations that are made in this letter, telling them to buy tickets or else.

The question is, do you know, sir, what steps have been taken to look into this situation, and can you tell us what the Premier has done to see whether or not these techniques were in fact used to raise funds for a dinner on his behalf?

**Hon Mr Laughren:** No, I do not, but I can assure the member that I will have a conversation with the Premier

to determine just what actions have been taken.

**Mr Mahoney:** Can we ask for a clear undertaking from the Deputy Premier that he will meet with the Premier on this matter forthwith, that he will look into these very serious allegations? There is a president of a large Ontario construction company who feels he has been intimidated in the name of the Premier of this province, who feels that he has been treated very roughly and very unfairly, and we want an absolute, clear-cut assurance, sir, that you and your boss, the Premier, will investigate this matter, will get to the bottom of it and will bring a full report back to this House, and indeed if the allegations turn out to be true, that you will ensure that this type of activity is not carried out in the name of the Premier under any circumstances whatsoever. Will you give us those assurances?

**Hon Mr Laughren:** I don't think the member said anything with which I would disagree, and I just want to reassure him that the kind of behaviour that is alleged, if that's true, is not the kind of behaviour the New Democratic Party or the government, the Premier or I, certainly, or any other members of our government would ever condone. I would suggest, even further than that, that if at the end of the day such allegations were proved to be true—and I hasten to add, I have no idea. People can make allegations on any matter, as the member knows.

**Mr Mahoney:** I sure do.

**Hon Mr Laughren:** As a matter of fact, I know he knows that. But if such allegations were ever proven to be true, then I would endorse what the member is suggesting, that something really should be done about it.

**The Speaker:** New question, the third party.

**Mr David Turnbull (York Mills):** My question is to the Minister of Transportation. The minister will well know that I have been questioning the Highway 407 deal for many months to the total dissatisfaction of myself and my party. Today's press contains very serious allegations of intimidation tactics—

*Interjections.*

**The Speaker:** Order.

**Mr Turnbull:** It's very sad that the government is making light of the fact that serious allegations of intimidation tactics have been made today on the part of the Labourers' International Union, Local 183, with regard to a fund-raising dinner, as has already been mentioned, which apparently raised the largest amount of money in history for your party, sir.

The union is also under police investigation for allegedly using Jobs Ontario money to renovate the home of a federal bureaucrat who approved a \$1.6-million grant to the union.

Your ministry has given two significant roadbuilding contracts, for almost \$1 billion, in the case of the first contract, and then \$60 million, to the consortium that signed a very lucrative deal with Local 183.

The bottom line, Minister, is that multimillion-dollar contracts have been awarded without proper public scrutiny. They have been awarded, without any allowance for the public to understand through the public process what is going on, to a consortium which uses a union

accused of strong-arm tactics during fund-raising for you. Will you turn this matter over to a legislative committee for investigation?

**Hon Mr Farnan:** Mr Speaker, I know how awkward it is when you're a member of the third party and a question has been asked by the member immediately before you. You have to rejig your notes and have to work around the issue and somehow get a question in. I congratulate the member for managing in a roundabout way to get back to the 407.

How many times must we repeat the absolutely extraordinary process that we went through? I don't think there has ever been a process that has been so detailed, so significant in pushing for fairness and objectivity. I could recount again that process, but clearly I'm not going to do that, because it's been written into the record several times now.

But I do want to emphasize that Price Waterhouse was retained as a process consultant, an independent objective body looking at the way this was handled. Their result, after a detailed examination, is that they certified complete and unequivocal satisfaction with the adherence to the evaluation methodology and process. They gave it a complete bill of health.

**The Speaker:** Could the minister complete his response, please.

**Hon Mr Farnan:** What more can we ask for?

**Mr Turnbull:** Well, Minister, let me first start out by saying that you, sir, and your government have absolutely no right to give contracts in secret without the public having any scrutiny of it. You have no right whatsoever.

**Mr Anthony Perruzza (Downsview):** You guys wrote the book on that. You wrote the book.

**The Speaker:** Order. The member for Downsview, come to order.

**Mr Turnbull:** The process that was put in place in 1952 was to ensure that contracts were open and above-board and that people understood it. You have subverted this process.

You refer to Price Waterhouse. Let me point out the fact that Price Waterhouse reported on a very narrow basis as to the fact that the process you had set up had been complied with. That is all they certified. The fact is that the government has never released any details of how this contract was arrived at. You gave a contract which I have continually asked in this House and in estimates as to whether the lowest bidder got the deal and we have never had a straight answer to that. They are building six lanes of concrete, instead of four lanes of asphalt for the losing consortium. We have never seen any details as to how you compared that.

My question to you is, how can the government treat the workers for this consortium differently and award a contract with this highly lucrative contract which is going to give up to 23% wage increases over five years when you treat the public service with wage rollbacks?

**Hon Mr Farnan:** It's an extraordinary convolution of issues, but let me turn to one point. He goes back to the old way of doing business, and certainly the way of doing business has changed in this province. You know,

there was a time when you contracted out. The Ministry of Transportation engineered an area of road. It was contracted out. You were comparing apples to apples. That was the old days.

We were looking at a major project, a project that the Liberals were going to take 20 years to build, and we went out and we developed, with consortia, a possibility of building the 407, not in 20 years but in four years, then working with the consortia. Remember, it was the private sector firms that demanded that any bids that were received must remain confidential because there was proprietary information. The member understands what that is. He can talk to the business leaders. They will tell you, "Why are you not releasing the information?" It's because it is of significant importance to us. If we're going to go after contracts abroad, that information is significant to us.

**The Speaker:** Could the minister conclude his response, please.

**Hon Mr Farnan:** They don't want to release it. All the government is doing is respecting the confidentiality demanded by these companies.

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**Mr Turnbull:** It's quite clear that the public has a right to know about the awarding of a contract of \$1 billion. I really have to emphasize that you, Minister—not you, but the minister before you put in place a process where the ministry insisted on the confidentiality clauses.

The reason that was given at the time was to protect the proprietary aspects of the financing agreement, which at the last moment you took out of the deal. I don't doubt that there may be some aspects that might be proprietary, but in a general sense this can be released. The ministry is using this to hide behind the process you put in place. It wasn't the contractors who bid on it. Let's get that quite straight. I was around at the time; you weren't, Minister.

**The Speaker:** Could the member place a question.

**Mr Turnbull:** "Accountability" is the key word and taxpayers have a right to understand how public money is being spent on this highly controversial secret contract that is being handed out to somebody, and we don't know how you're spending our money. Questions of propriety have been raised about the relationship between—

**The Speaker:** Does the member have a question?

**Mr Turnbull:** —your government and the Premier and this union. Will you not agree to a public legislative process which will examine the circumstances around the contact between you and this union and indeed the awarding of this contract?

**The Speaker:** The question has been placed.

**Hon Mr Farnan:** This member needs an entire question period all for himself. I couldn't possibly begin to answer the five or six questions contained in the one preamble, but let's go back to a couple of points.

The first point is that the confidentiality was demanded by the private sector firms involved. That's the first point.

The second point is that I'm delighted that in the member's question you have at last recognized that there



is proprietary information, that this information is significant to those companies, that this information must remain confidential.

*Interjection.*

**The Speaker:** Order. Will the member for York Mills come to order.

**Hon Mr Farnan:** Because that information is proprietary, we're talking about two different kinds of contracts, we're talking about apples and oranges, and you should realize that, seeing you've been around the issue long enough. If there is any information that I can release that doesn't break the agreements that have been made with those companies, everybody in this House knows I will release it, but I will not break a contract of confidentiality.

#### WASTE DISPOSAL

**Mr David Tilson (Dufferin-Peel):** I have a question for the Minister of Environment and Energy. Minister, as you know, the consolidated board this morning brought down its ruling on the Ontario Waste Management Corp's proposed hazardous waste facility in West Lincoln. As you know, the ruling rejected the proposed facility.

My question to you is, what are the government's contingency plans? Now that this alternative is gone, would you tell us what the government's contingency plans are for dealing with hazardous waste in the province of Ontario?

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** Indeed, the joint board has rendered its ruling. It's quite voluminous, as you can see, and it's dealing with a very complex and important issue. The integrity of the environmental assessment process, of course, required that as we move forward with dealing with the reduction of hazardous waste in the province and the development of new technologies and new approaches, we await the final decision of the board before we make a final announcement of a comprehensive strategy.

The member knows very well that there is now a 28-day appeal required by the process, and we will await the expiry of the 28 days in order to determine whether or not the decision is final. We will be making announcements early in the new year.

**Mr Tilson:** I understand. I expected your answer was going to be that it was going to take you 28 days to read that thing, and I understand that. I guess my question really was that you must have contingency plans if this fails. Hazardous waste is really a serious problem in this province and I think we're all interested in knowing what you're going to do if this fails.

As you know, \$140 million has been spent on this process in the last 14 years. It has been a long process. Are you telling the people of Ontario, with the answer that you've just given, that there are no contingency plans in the province of Ontario in the event that this facility will ultimately be rejected, as it was this morning? Is that what you're telling us? Are we back to square one after \$140 million has been spent, and you still don't have any alternatives for disposing of hazardous waste in Ontario?

**Hon Mr Wildman:** The short answer is no, that's not

what we're telling you. The member is quite correct in saying there has been a great deal of money spent. As a matter of fact, the Conservatives proceeded with this proposal without an environmental assessment. I can't believe that they would propose that we should proceed with such an important facility that might have ramifications for the environment without an environmental assessment.

The Conservatives indeed spent \$43 million on this proposal and were prepared to proceed without proper environmental concerns being dealt with. The Liberals spent \$70 million on this process. Our government has spent approximately \$26 million. We slashed the annual budget last year from what it had been, around \$15 million a year, to \$2.1 million.

The member wants to know what our strategy is. I would point out that while we awaited the final decision, we have developed a number of projects. Some 165 municipalities have received grants through our household hazardous waste collection program. The industrial waste diversion program has distributed grants of \$4 million, which have resulted in 100,000 tonnes of waste being diverted from landfill and incineration. Since 1990, almost \$5 million has been contributed by this ministry through the environmental technology program to develop private enterprises for the development and commercialization of new technologies for the treatment of hazardous waste, such as Eco Logic.

We've been involved, we're developing it and we will make a final decision that will take into account all of the work we've done so far, the decision rendered by the board and any appeals that might be brought forward in the 28-day period.

**Mr Tilson:** Minister, I didn't stand up in this place to have a debate as to who's spent the most money on this project. I'm simply—

**Hon Mr Wildman:** I bet you didn't.

**Mr Tilson:** I can tell you, we all know who's spending the most on these types of projects. All you've got to start to do is to get into the Interim Waste Authority, where it's \$75 million, and look where you are. So don't start lecturing us as to who is spending more money.

I'm simply saying that as to the ruling this morning, I haven't read the thick pages well but I have read a summary of it. It appears that much of the ruling this morning was based on the fact that the Ontario Waste Management Corp has not thoroughly looked at the alternatives that are available to dealing with hazardous wastes. That was in the second paragraph of the summary, which I'm certain you have before you.

Minister, this ruling by the consolidated board tells us that the three proposed dump sites of York, Durham and Peel will also be turned down—at least it would seem to me the board is bound by its decision it has now made today—because the Interim Waste Authority under your direction has not looked at alternatives.

My question, Minister: Are you prepared, as the sole shareholder of the Interim Waste Authority, to direct the Interim Waste Authority to consider all alternatives, whether they be energy from waste, long rail-haul to

willing host communities and all the many other alternatives, knowing today, as a result of this decision, that the three sites will be turned down by the consolidated board if you don't make these changes? You're going to avoid the taxpayers spending zillions more dollars on three sites that aren't wanted. If you won't do that, are you prepared to stop the process until this matter can be resolved?

**Hon Mr Wildman:** In that question, which I guess is supplementary, there were a number of statements made that I think I should respond to. The member says that we shouldn't be talking about how much money was spent on the OWMC proposal. I think that in this House we've all been hearing today arguments that we should indeed be talking about how much money is spent of the public purse.

The ministry of course is working very hard to reduce the amount of hazardous waste produced. We have agreements with many companies which—

**Mr Tilson:** You're storing the stuff, that's all you're doing, you're storing it.

**Hon Mr Wildman:** The member says we're just storing it. Just to clarify that, in just one sector, the auto sector, Ford, GM and Chrysler, we have 15 pollution prevention projects which we've entered into. In this sector alone, chlorinated and non-chlorinated solvents have been reduced by 151,000 kilograms, toxic metals by 7,300 kilograms, paint sludge by 227,000 kilograms and liquid industrial waste by 228,000 litres, and the member says we've just been storing.

Specifically with regard to the IWA, the member knows full well that the Interim Waste Authority process has looked at many, many alternatives to the three sites that are now going before the full environmental assessment. He also knows that is a scope process and that there is no indication whatever—

**The Speaker (Hon David Warner):** Could the minister conclude his reply, please.

**Hon Mr Wildman:** —in this decision that it hinges upon the Environmental Assessment Board's decisions. The member also knows, as I've said many times, that if anyone wants to develop a proposal for moving waste into Kirkland Lake, they're welcome to go through the environmental assessment process.

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#### COMPENSATION FOR VICTIMS OF CRIME

**Mr James J. Bradley (St Catharines):** My question is to the Attorney General. In view of the decision of Judge Patrick Lesage agreeing to the request of the lawyer for Paul Bernardo to move the site of the trial on charges of the murders of Kristen French and Leslie Mahaffy from St Catharines to another location, I asked the Deputy Premier last week if the provincial government would agree to compensate the parents of these victims for the costs they would incur as a result of this judicial decision.

The Deputy Premier agreed to discuss my request with you and certainly did not rule out this possibility. Would the Attorney General inform the House of the result of this consultation with the Deputy Premier? Would you inform us if you are able to reply positively to my

request on behalf of my constituents the Frenches and on behalf of the Mahaffys?

**Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues):** I did have an opportunity to speak with the Treasurer about the issues that the member had raised.

The member may be aware that there is no precedent in Ontario for such compensation, even though we've had many tragic cases where the families of victims have certainly been inconvenienced by the changing of the venue. I think of families like the Jessop family and the Buxbaum family and so on, and there has not been in the past a program set up to do that.

It is a bit premature, until the honourable justice rules on what the venue will be, for us to have any notion of what the families' needs and wants might be in this respect, but we are working very closely with them. Both the police and the prosecutors have maintained close contact with both families, offering them what support we can and information as time goes along.

We regard them as we do other victims of crime. I think most people in this place would recognize that in these tragic circumstances, the families of the victims are indeed victims themselves. We have committed ourselves to doing everything within our power to assist them once we know what the venue is and what their needs and wants would be in that respect.

**Mr Bradley:** I am encouraged by the answer of both the Deputy Premier and the Attorney General that there are those discussions going on that would look at least to the possibility of covering some of those costs.

If I may be just a bit more specific, and I understand why the minister cannot at this time be as specific as she would like, would the minister when considering those costs take into account the cost of accommodation, the cost of transportation, the cost of meals, and a fourth one, which is the loss of wages for these people?

I know in at least the Frenches' case, both are working at this time. You would understand they've incurred a lot of costs that don't show up necessarily on the public ledger. As to the Mahaffys, I'm not certain of their employment situation. Would she consider the four things that I have mentioned as potential for some assistance from the government?

**Hon Mrs Boyd:** I don't think there's any doubt that compensation for lost wages is a much more difficult issue than out-of-pocket expenses. I think we all recognize that and I can't make a commitment on that at this point in time. I understand that my colleague had wondered aloud as to whether the criminal injuries compensation fund had any provision for that, and it does not.

So at this point in time I could not commit myself to that, except to say to the member that we certainly are aware of how the tragedy multiplies for families like this when costs and the cost of participating in this kind of trial continue to mount. We will certainly do what we can in conjunction with them to meet the needs and wants they identify, but I cannot commit to that at this particular point in time.



## JUSTICE SYSTEM

**Mr Michael D. Harris (Nipissing):** My question is to the Attorney General. Yesterday, I raised with the Premier a court decision that will mean an individual charged with rape will never come to trial and justice will not be served because there was not a courtroom available. Attorney General, can you tell us today exactly how many cases currently in the system in fact could be thrown out due to delays on the same basis as the judgement that was used in this trial?

**Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues):** The member should realize that there is an appeal process in these cases and should not make a statement quite as blunt as he did, that there is no hope this charge will come forward. The crown attorney for downtown Toronto has recommended that an appeal be launched by us. My expectation is that may happen, and if it does, it would be inappropriate for us to talk about that particular case.

I can give the member some information about the current backlogs and the kind of situation there is, and say to him initially that it is a very, very serious issue. As the member knows, when the Askov decision came down at the very beginning of our term, the backlogs that had grown up over many, many years in our courts were such that over 50,000 cases were lost as a result of that decision. The last four years have seen a really remarkable change in terms of how we are dealing with some of these issues.

The first thing the member needs to know is that we have fully implemented in the Toronto region, and are gradually implementing in the rest of the province, what we call an investment strategy, which focuses on the early screening, the disclosure and the resolution of cases. It's designed to reduce the delay and many of the costs that are related to the prosecution of criminal offenses. The delay in the provincial division right now is under six months. That's well within the Askov rule. The early resolution rate in Toronto has increased from 46% to 65% in the one year since this has been in place, and so there is no backlog at the provincial level.

At the General Division, though—and Mr Speaker, this will take some time. The member asked for information that relies on—

**The Speaker (Hon David Warner):** Order. I appreciate that the minister has a great deal of detailed information. She should know that she also has an opportunity to table information if it is detailed and can't be contained in a concise reply to a member's question. I would ask her to try and conclude her response.

**Hon Mrs Boyd:** Mr Speaker, I will. I will give the brief information, though, because tabled information does not go to the public, and I think the member is concerned that the public get some of this information.

Seventy-five per cent of the General Division cases are less than a year old, again within the Askov rule. Another 25% are above, but in many cases there are relevant reasons why they are: the unavailability of counsel, a change in counsel, the unavailability of the witnesses. So we know that we are in a situation—

**The Speaker:** Could the minister conclude her reply, please.

**Hon Mrs Boyd:** —where very few of these cases are in fact in danger, and where they are, we will do everything we can to expedite them.

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**Mr Harris:** There are ministerial statements or tabling information to be public. The fact of the matter is that we are interested in the information. Today, though, I was asking the question how many, and clearly you either don't know or won't tell us.

By way of supplementary, Attorney General, I want to tell you that I assume you're giving us the information laying out the seriousness of the situation and I sympathize with the mess you inherited from the Liberals. I understand that.

**Hon Mrs Boyd:** And you.

**Mr Harris:** But it has been four years—10 years since my party was in government—since the Askov decision warned you that unacceptable delays would result in cases being thrown out of court. It has been over a year since the Martin report told you how to fix the system.

Attorney General, why have you not implemented the Martin report recommendations that would have fixed the problem? Clearly, those within the system and working within the system tell us that if they had been implemented, you would not have had this problem yesterday. You don't know how many other cases there are or you won't tell us, which was my first question, so an indeterminate number of cases. You've been sitting on that now for 15 months. That's when the report came out, August 1993. Why have you not implemented those recommendations of the Martin report that would have prevented this from happening and when are you going to get on with doing it?

**Hon Mrs Boyd:** The member is clearly mistaken. We have implemented the Martin commission. That's what the investment strategy is. We have increased the early resolution rate from 46% to 65% in Toronto since the introduction of the Martin commission recommendations. It is working.

**Mr Harris:** It didn't work yesterday and it's not working now. The other cases, that's what I'm asking about.

**Hon Mrs Boyd:** Indeed, there has been a 20% reduction in new indictments in the General Division. There are 4,455 criminal cases currently before the General Division and 89.4% of those are less than a year old.

**Mr Harris:** The Blue Jays aren't playing baseball. It has nothing to do with my question. None of your studies have anything to do with my question. Answer the question.

**The Speaker:** Order. The leader of the third party, please come to order.

**Hon Mrs Boyd:** That is a remarkable record. We are working very hard with all parts of the judicial system and with the bench to ensure that we continue to

improve. We are succeeding. We have implemented Martin and it is working.

**Mr Harris:** Why are you covering up the information?

**The Speaker:** Would the leader of the third party please come to order.

#### INTERNATIONAL TRADE

**Mr Gary Malkowski (York East):** I have a question for the Minister of Economic Development and Trade. For months, the Liberal Party has criticized this government for closing its international offices. I was interested to read recently in a Toronto Star article by Thomas Walkom that the Liberal leader was equivocating on whether in fact a Liberal government would reopen the offices. I guess that means they're finally agreeing with our course of action.

On this subject, I read a press release from your ministry on a further development in this area. Could you elaborate on how that announcement ties in with the closing of the international offices? I'm sure my colleagues across the floor would be interested.

**Hon Frances Lankin (Minister of Economic Development and Trade):** I am assuming the member is referring to the press release last week that referred to the memorandum of understanding signed between the federal and provincial governments with respect to an era of much more cooperation between the two governments on our international trade strategy.

When we decided to close the international offices, I said at the time that we would be embarking on a new strategy and that it would involve working with people in a different way. You will know that we've brought about the private-public sector joint venture in the Ontario Investment Service; we have the Ontario International Trade Corp headed by former Premier Bill Davis—the work it will be doing will be important—and the special envoy program which we'll be rolling out later this month.

We talked about working with all sorts of organizations, whether they be the chambers of commerce, like the Japan-Canada Chamber of Commerce etc, to use those networks more effectively. We also talked about improving the way in which we work with the federal government.

This memorandum of understanding—it might seem odd to the public that we would have to actually negotiate a memorandum between levels of government—moves us to a point where we're coordinating our timing of planning strategy, our trade missions. We are coordinating that we do more export readiness and they do more of the foreign posts. I think it's actually a remarkable step for governments to reach this level of cooperation and I'm very pleased to have been part of that.

**Mr Malkowski:** Back to the international offices themselves and the ever-changing Liberal position, I read now that Lyn McLeod is not so sure she would reopen the offices, but rather she would consult with business to see what she should do. Minister, did you consult with business before embarking on this new trade and investment strategy?

**Hon Ms Lankin:** Yes. With respect to the whole strategy, we did. I want to say, specifically on the issue of the closure of the international trade offices, that we had extensive support in writing and verbally on the record from the Ontario chambers of commerce, the exporters' association, the manufacturers' association. They all supported that move and said this made sense, that we shouldn't have that kind of bricks-and-mortar representation, that there are better, more cost-effective ways of doing it.

I want to point out that we saved \$17 million from our budget as a result of that move. That may be why the Liberal leader has changed her position. As I read in another article, while she's been slamming us around the province for months on this and saying that they would open it immediately, she's now saying that she actually wouldn't commit to it because it may not be "financially realistic." I thought that was kind of interesting.

I want to say that I appreciate the work I was able to do with Minister MacLaren and Minister Manley. Minister MacLaren has made comments that have been quoted in press releases about this kind of cooperation and building the Team Canada approach, his appreciation of it, and that he intends to work with other provincial governments to achieve similar arrangements. So I'm very pleased.

I'm not quite sure that I can explain to the member why the Liberal leader is changing her position on this or with respect to her target for unemployment or her target for deficit reduction. It really isn't something within my ability, to explain why the leader can change her position—

**The Speaker (Hon David Warner):** Could the minister conclude her response, please.

**Hon Ms Lankin:** —on this, or on any other issue for that matter, which seems to be the regular course of matters for the Liberal leader these days.

#### AMALGAMATION OF SCHOOL BOARDS

**Mr Charles Beer (York-Mackenzie):** My question is for the Minister of Education and Training. Minister, last month, I believe at the end of October, you were quoted in the Globe and Mail as saying: "I've come to the conclusion that we need school boards. The province is just too big to move every school to school-based management. Even so...there are too many school boards in the province, and that includes Metro Toronto."

Minister, since you made that statement we've learned from numerous people around the province in the education community that in fact you are working on a plan towards the amalgamation of school boards. What we would like to know is, is it your intention to introduce legislation regarding the amalgamation of school boards before the Christmas recess or are you intending to wait for the report of the Royal Commission on Learning? Could you share with us today what your plans are with respect to the amalgamation of school boards?

**Hon David S. Cooke (Minister of Education and Training):** I believe tomorrow's the deadline for legislation and I guess we'll just have to wait, but it's highly unlikely that we'll be introducing legislation before the



royal commission reports. Perhaps in your final question you could indicate what your position is. I know what the position of the Conservatives is. If we do bring in legislation, will we pass it very quickly in a reduction of the number of school boards? We could have all-party support.

**Mr Beer:** Interesting. One has to always remind the Minister of Education that he is now the government and supposedly we're going to learn from them what things they're going to do.

One of the problems, Minister, with this is that we now learn that the royal commission report won't be released until mid-January or late January. Perhaps when you get up to answer the supplementary you might confirm what the date is when that report will be released. Yet the minister knows there are many serious problems that are facing school boards, in particular the whole question of the reform of educational funding.

I understand that circulating within your ministry right now is a paper entitled Building on Progress, and in that document, which is supposed to be going to cabinet, if indeed it hasn't already been, you talk about appointing a task force to develop educational funding reforms for October 1, 1995.

Minister, we have been in this House for four years and more days, waiting for proposals on educational funding reform. At different times you've talked about perhaps draft legislation, at other times about white papers. Minister, what we need to know in this House is what you are planning to do specifically with respect to educational funding reform. Will you be making a statement on this issue before we rise at the Christmas recess?

**Hon Mr Cooke:** First of all, I wasn't really asking for the position of the Liberal caucus on the number of school boards for the purposes of deciding government policy. It just would be nice to know, at least in one area, what the Liberal position is. When we bring in legislation, we will want to know what your position is. If you want to do all-party support, we could move very—

**Mr Beer:** Present the legislation and we'll tell you.  
1450

**Hon Mr Cooke:** Well, that's the other point with ed finance reform. We are working on some proposals, but it would be interesting to know where you stand, because when we've made changes at this point, changes to the grant ceilings or changes to the sharing of commercial-industrial assessment on one hand, you one day get up in the House and you encourage us to move forward with education finance reform. Then, when we make steps forward on it, you automatically raise all of the concerns of the boards that are losing some revenues in order to adequately share it.

You're constantly and always trying to have it both ways. That's the position of the Liberal party, always has been and does not contribute to fairness or progress in education at all.

**Mr Beer:** On a point of order, Mr Speaker: The minister, what he just stated, that is not correct. I have supported him on a series of issues that—

**Hon Mr Cooke:** Look in Hansard.

**Mr Beer:** Mr Speaker, the minister is wrong. Those remarks which are misleading—

**The Speaker (Hon David Warner):** No. The honourable member for York-MacKenzie will know he does not have a point of order. There's obviously a difference of opinion.

#### CORRECTIONAL FACILITY

**Mr Allan K. McLean (Simcoe East):** My question's for the Solicitor General and Minister of Correctional Services. It concerns a report from the public institutions inspections panel of the county of Simcoe, which said it was "extremely pleased in general and pleasantly surprised that the provincial government has a productive self-sufficient institution incorporating the inmates as a workforce. We strongly feel that this facility be a model for other minimum institutions due to its cost-effectiveness, self-sufficiency, assistance to outside charitable organizations and the community at large and other government-run agencies."

Minister, why did you close down Camp Hillsdale?

**Hon David Christopherson (Solicitor General and Minister of Correctional Services):** I didn't hear the first part, but I think I have the gist of the question. If I've missed a piece of it, please reiterate in the supplementary. The question, as I understand it, is why did that particular facility close.

The honourable member will know that in the auditor's report of last year, which we took very seriously, as we did the auditor's report this year and are attempting very much to respond to the recommendations there, one of the things that needed to change in our correctional prison system is to be far more efficient, not just in terms of the individual facility but also in terms of the overall system that we have and to emphasize in the areas where we need to provide better service and more service and recognize that in other parts of the system we have room already in terms of capacity.

This is an absolute minimum security facility, or was. There were no fences, there was nothing there at all. Quite frankly, we had spaces in other parts of the system that would allow us to accommodate those individuals and we were able to save a fair amount of money in the system that the auditor has said needs to be run more efficiently and as efficiently as possible.

**Mr McLean:** It's unfortunate that you didn't read any reports because there's a report on institutional services from the standing committee on public accounts which shows Ontario had the highest staff-to-inmate ratio of all provinces studied. However, of the 51 Ontario institutions surveyed, Camp Hillsdale had the lowest staff ratio.

Surely the Minister of Correctional Services is aware of the Attorney General's recent comments about finding alternatives to imprisonment of non-violent offenders. The Attorney General said that, despite the 30% expansion since the mid-1980s, the Ontario prison system remained overcrowded because more than 75,000 people were sent to prisons last year; more than 80% of them were jailed for municipal and provincial offences.

Minister, you've closed down one of the most econ-

omical operating facilities in the province and left the most expensive ones open. This is the most reasonable and the cheapest one to operate. Why did you close it? When the Attorney General said that our prisons are too costly and crowded, why wouldn't you put them out in a farm such as this to save money for the people of this province?

**Hon Mr Christopherson:** I've attempted to respond to that, and let me say that I understand the honourable member's need to represent his community and certainly taking issue with this would be an important part of his local responsibilities; I understand that. But my responsibilities are to make sure that the taxpayer is getting the safest and most efficient system that we can provide.

The fact is that we have enough room elsewhere to provide this particular service. This is minimum security, as I've said. There are no fences, there's very little security there, and that is a particular part of our system where we have capacity elsewhere to put those individuals who need to be in an institution or, if there are alternative measures that can be applied to them, again since it's such a minimum security, it lends itself to those individuals who were there.

Again, to close, I understand the concern of the local community. It's not something that one likes to do, but the fact is that we need to run the safest, most efficient system we can and this decision is very much a part of that kind of thinking.

#### HIGHWAY CONSTRUCTION

**Mr Ron Hansen (Lincoln):** My question is to the Minister of Transportation. As you are aware, the Queen E is now being widened through the Niagara Peninsula. Construction will start in the Grimsby area next year, and the mayor of that town has led people to believe that the province should be paying for the construction of an adjacent service road. Will the Ministry of Transportation be constructing a south service road connecting through Grimsby as part of the Queen E widening project?

**Hon Mike Farnan (Minister of Transportation):** The south service road connection in Grimsby is not part of the QEW widening project. It serves a municipal function and serves mainly local traffic. The mayor and the council of Grimsby have been told many times that the Ontario government is not responsible for building this road.

I understand from previous conversations with the member for Lincoln that the local citizens are concerned about emergency traffic being diverted through the town. Our government is receptive to their concerns, and I can assure the member for Lincoln that the improvements to the QEW—the addition of lanes, the construction of median barriers and better lighting—will make it a safer road and will allow traffic to move more freely through Grimsby. Indeed, there is a north service road to handle emergency traffic if necessary.

Also, by widening the QEW using a total project management approach, we will get it completed three years ahead of schedule and create 1,100 full-time jobs for the local construction community.

**Mr Hansen:** Can the minister advise this House and

my constituency of what kind of assistance he can provide to help the town get this road built?

**Hon Mr Farnan:** In 1992, my ministry funded 75% of the cost of a transportation study for Grimsby that included the south service road extension. The report concluded that the connection was needed, but it also concluded that it would serve a local function only. My ministry has offered to help the town of Grimsby pay for an environmental assessment plan for the road if they choose to build it. I think the member can go back to his community and say yes, my ministry will be prepared to put dollars forward for an environmental assessment plan.

#### GASOLINE PRICES

**Mr Frank Miclash (Kenora):** My question is to the Minister of Northern Development and Mines, and the members of the House will be aware of the considerable difference in gas pricing in terms of northern and southern Ontario. We have the new minister actually on record, as have been many of his cabinet colleagues, saying that, yes, this is a problem in the province of Ontario and, yes, we must fix it.

Let me remind the minister of his comments in Sudbury just back in 1991 when he said: "Above all, what I would like to see is the assurance that I am being treated fairly in terms of gas prices. What I want as a consumer and for the people I represent is that I get a fair shake for my hard-earned dollar."

As the new advocate for the people of northern Ontario at the cabinet table, I'm very interested in what you are doing as that advocate and what measures you are taking to address this problem.

**Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs):** The member opposite knows full well that the Liberals in Ottawa, that the federal government has indeed a direct relationship and a responsibility regarding the cost of gasoline and its discrepancies—fairness across Ontario.

#### 1500

The member took a great deal of pride in reminding me of my responsibility to protect the interests of the consumers in northern Ontario in 1990, and he could have gone back since 1985. But let's reminisce.

In the year of our Lord 1987, the then Minister of Finance, the Treasurer of Ontario, sitting where the legendary Floyd Laughren is sitting, the very seat, in answer to a question posed by the member for Lake Nipigon vis-à-vis the discrepancy between the riding of Lake Nipigon and the boys at Earl's Shell, a 15-cents-a-litre difference, and the Treasurer tells me then, "You are being ripped off."

That's what he said. It's a federal responsibility; we know of the discrepancy. It's a little better, not as bad as it was under that regime. We will work with our federal counterpart, investigate the matter. We are doing that. We will get it rectified but we need the Liberals in Ottawa to help us.

**Mr Miclash:** The minister has just indicated that the problem is better and I indicate to the minister at this point that we have as much as a 20-cents-a-litre differ-



ence today, and this is you and your government giving a commitment to the people of northern Ontario back in 1990. We were given that commitment during the campaign in 1990.

Mr Minister, I have had thousands of people sign petitions which indicate that they want you to follow through on the commitment that was made, again a commitment made during the campaign of 1990. These petitions have come in to your members in northern Ontario; they have flooded my office; as well, I have a good number of resolutions from communities in your riding, communities that say, "Yes, we must have equalization of gas pricing, as the NDP promised during the 1990 campaign."

Minister, again I ask you as the advocate for people in northern Ontario, what you are doing to ensure that this issue is at the cabinet table?

**Hon Mr Pouliot:** The member is right and the question is most legitimate and I thank the member, so therefore he shall recall, and vividly he should, that in 1991 this government eliminated the sticker fee, the registration fee. It saved the residents of the north \$90. You could have said yes, you could have done it. We've been asking for it for decades. We did it.

There are 490,000 registered cars; supplementary to it of course, the recreation vehicles in the province of Ontario. We're acting on it. We're doing the best we can.

We want to make railroads more competitive. We don't want to rip up the track like Jean Chrétien and the chairman of CNR. What's good for CN-CP, what's good for the gas company first and foremost must be reflected because it is good for the consumers in the province of Ontario in our special part, northern Ontario. We're doing all we can. We're acting on it, but we need cooperation from the feds.

### PETITIONS

#### MENTAL HEALTH SERVICES

**Mr Tony Ruprecht (Parkdale):** I have a petition here, Mr Speaker, that the residents want you to take very seriously, and it reads:

"To the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the NDP government is hell-bent on establishing a 20-bed forensic facility for the criminally insane at the Queen Street Mental Health Centre; and

"Whereas the nearby community is already home to the highest number of ex-psychiatric patients and social service organizations in hundreds of licensed and unlicensed rooming houses, group homes and psychiatric care facilities in all of Canada; and

"Whereas the nearby community could be assessed and treated differently; and

"Whereas no one was consulted—not the local residents; not the business community; not leaders of community organizations; not education and child care providers; and not even the NDP member of the provincial Parliament for Fort York;

"We, the undersigned residents, therefore petition the

Parliament of Ontario and the NDP government to immediately stop all plans to accommodate the criminally insane in an expanded Queen Street Mental Health Centre until a public consultation process is completed."

I have affixed my signature to this document.

#### LONG-TERM-CARE REFORM

**Mr Cameron Jackson (Burlington South):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Ontario government has given second reading to Bill 173, An Act respecting Long-Term Care, and clause-by-clause consideration of the bill;

"Whereas seniors and the disabled community are entitled to accessible community-based care;

"Whereas we do not believe that Bill 173 will provide more cost-effective and accessible care;

"Whereas we, the undersigned, believe the government of Ontario must recognize and value the work of volunteers in Ontario;

"We, the undersigned, petition the Legislature of Ontario to ensure that amendments are made to Bill 173 to allow for provision of community care based on the needs of the local communities in Ontario and acknowledge the role of volunteers in the delivery of care."

That is signed by several members of People First in Burlington. Both Rosalynn Kitchen and Marilyn Heintz are present in the chamber this afternoon. They signed this petition. It also has my signature of support.

#### SICKLE CELL ANAEMIA

**Mr Robert Frankford (Scarborough East):** I have a petition about a rather unrecognized medical condition:

"Whereas sickle cell anaemia is a serious medical condition with 10% of the population of African origin carrying the gene; and

"Controlled studies show a significant reduction in the number of childhood deaths by long-term treatment with penicillin to such a degree that it must be considered an essential drug;

"We, the undersigned, call upon the ministries of Health and Community and Social Services to ensure free provision of the drug to all affected children."

I am signing my name to that.

#### CHILDREN'S SERVICES

**Mr Charles Beer (York-Mackenzie):** I have a petition here signed by some 1,000 people to the Parliament of Ontario. It reads:

"We, the undersigned, petition the Parliament of Ontario as follows:

"We are pleased to provide support to Parents for Giant Steps Toronto. This project is an initiative of parents of children whose needs cannot be met through existing programs. These children require comprehensive and focused therapeutic and special education intervention to address underlying neurological dysfunctions in order to progress academically and in their ability to function in their communities. The Giant Steps model is well-organized, offers a complete range of therapeutic services that addresses the child's needs as a whole and provides value for money. The model has been in operation since

1981 and has been replicated in five very different jurisdictions.

"We urge the provincial government to build bridges for these families between ministries and departments and support the proposal by Parents for Giant Steps Toronto."

I have signed my name to that petition.

#### NATIVE HUNTING AND FISHING

**Mr Allan K. McLean (Simcoe East):** To the Legislative Assembly of Ontario:

"Whereas in 1923, seven Ontario bands signed the Williams Treaty, which guaranteed that native peoples would fish and hunt according to provincial and federal conservation laws, like everyone else; and

"Whereas the bands were paid the 1993 equivalent of \$20 million; and

"Whereas that treaty was upheld by Ontario's highest court last year; and

"Whereas Bob Rae has not enforced existing laws which prohibit native peoples from hunting and fishing out of season; and

"Whereas this will put at risk an already pressured part of Ontario's natural environment;

"We, the undersigned, adamantly demand that the government honour the principles of fish and wildlife conservation, to respect their native and non-native ancestors and to respect the Williams Treaty."

I've signed my name to that. That petition is from Petrolia, Wyoming and Sarnia.

#### CHARLOTTE ELEANOR ENGLEHART HOSPITAL

**Mrs Ellen MacKinnon (Lambton):** I have a petition from members of my riding to the Legislative Assembly of Ontario. I present the following petition from the residents of Lambton county:

"Whereas the residents feel that it would be an injustice to the Lambton county area to consider closing the Charlotte Eleanor Englehart Hospital in the town of Petrolia. The hospital provides an essential service and support relied on by the community not only for emergencies but for continual health care."

I have affixed my signature to this petition, as I agree with it.

1510

#### LONG-TERM-CARE REFORM

**Mr D. James Henderson (Etobicoke-Humber):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas we are extremely upset that Bill 173 will result in less client service, a more costly service system and a decrease in volunteers in the long-term-care system;

"We, the undersigned, petition the Legislative Assembly to ensure that the Minister of Health amend Bill 173 to correct these flaws."

That petition is signed by almost 200 of my constituents, and by me.

#### HEALTH INSURANCE

**Mr Robert W. Runciman (Leeds-Grenville):** I have a petition signed by several hundred residents of my riding:

"Whereas the provincial government has recently slashed health coverage by 75% for Ontario citizens who are hospitalized out of the country; and

"Whereas this reduction in coverage will affect all Ontarians but will have the greatest impact upon our seniors, many of whom travel south of the border for important care health reasons and who will be forced to absorb a tremendous hike to their health insurance premiums; and

"Whereas the government has justified its decision on the basis of not wanting to pay exorbitant hospital costs, even though, currently, out-of-country hospital coverage is based solely on the rates charged by Ontario hospitals; and

"Whereas the reduction in out-of-country hospitalization coverage below the rates charged by Ontario hospitals represents an indisputable violation of sections 7 and 11 of the Canada Health Act; and

"Whereas the Ontario Progressive Conservative Party, under the leadership of Mike Harris, makes the preservation of medicare a priority in its Common Sense Revolution policy document;

"Therefore, we petition the government of Ontario to act in a fair and just manner by preserving the sacred principles of medicare and to immediately restore out-of-country hospitalization coverage to the rates charged by hospitals in Ontario."

I'm affixing my signature in support.

#### FIREARMS SAFETY

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a number of petitions:

"To the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

This is signed by many members of my constituency, particularly from Kagawong and Gore Bay.

#### DANGEROUS OFFENDERS

**Mr Cameron Jackson (Burlington South):** I have a petition to the Parliament of Ontario:

"Whereas Christopher Higginbottom is a known homosexual paedophile who has been released into the Burlington community even though he was diagnosed by medical experts as remaining highly at risk of reoffend-



ing; and

"Whereas Higginbottom was acquitted of another sexual assault involving a child on the basis of an inappropriate and unjustified conclusion drawn by the trial judge in relation to the evidence of the victim, all of which are unjustified in law; and

"Whereas in rendering the decision to acquit Higginbottom the fact of his breach of probation and the long history of his past sex attacks on children was not adequately taken into account by the judge;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That Attorney General Marion Boyd undertake an appeal of this case and that she pursue amendments to the Mental Health Act of Ontario and/or support federal high-risk offender legislation to prevent the release of offenders such as Higginbottom into the community, and that the government of Ontario undertake to entrench within law a bill of rights for victims of crime."

This has my signature of support as well.

**The Deputy Speaker (Mr Gilles E. Morin):** Petitions? Reports by committees.

**Mr James J. Bradley (St Catharines):** Petition.

**The Deputy Speaker:** I had asked for petitions. If you have a petition, the member for St Catharines, please go ahead.

**Mr Bradley:** No, that's okay. I don't want to upset things in the House.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms Haeck from the standing committee on regulations and private bills presented the committee's report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr129, An Act respecting the Ontario Professional Planners Institute

Bill Pr135, An Act to revive Durham Regional Police Association Inc.

Your committee begs to report the following bills as amended:

Bill Pr51, An Act respecting the City of Windsor and the Will of Edmund Anderson Cleary

Bill Pr132, An Act respecting the Township of East Luther and the Village of Grand Valley.

**The Deputy Speaker (Mr Gilles E. Morin):** Shall the report be received and adopted? Agreed.

##### STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr Marchese from the standing committee on administration of justice presented the committee's report and moved its adoption:

Your committee recommends that Bill 56, An Act to protect the Civil Rights of Persons in Ontario, be not reported.

**The Deputy Speaker (Mr Gilles E. Morin):** Shall the report be received and adopted? Agreed.

#### INTRODUCTION OF BILLS

##### ASSESSMENT AMENDMENT ACT, 1994

##### LOI DE 1994 MODIFIANT LA LOI SUR L'ÉVALUATION FONCIÈRE

Mr Laughren moved first reading of the following bill:

Bill 197, An Act to amend the Assessment Act / Projet de loi 197, Loi modifiant la Loi sur l'évaluation foncière.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

**Hon Floyd Laughren (Deputy Premier and Minister of Finance):** The Assessment Amendment Act, 1994, will enable the government to put into effect a consensus solution that has been reached to relieve property taxes on small retail stores in Metro Toronto shopping malls. To protect smaller retailers and save jobs, the agreement will shift approximately \$8 million in property taxes from the smaller stores to the larger anchor stores.

The bill will amend the Assessment Act to allow the Minister of Finance to file a regulation prior to roll return. The regulation will apportion the shopping mall assessments to increase taxes for anchor stores by \$8 million and reduce taxes for the smaller stores by the same amount pending reassessment.

##### SARNIA COMMUNITY FOUNDATION ACT, 1994

Mrs MacKinnon moved first reading of the following bill:

Bill Pr139, An Act respecting the Sarnia Community Foundation.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

##### CITY OF LONDON

##### BOARD OF EDUCATION ACT, 1994

Mr Winninger moved first reading of the following bill:

Bill Pr151, An Act respecting the Board of Education for the City of London.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

##### SIMCOE COUNTY

##### BOARD OF EDUCATION ACT, 1994

Mr O'Connor, on behalf of Mr Wessenger, moved first reading of the following bill:

Bill Pr153, An Act respecting the Simcoe County Board of Education.

**The Deputy Speaker (Mr Gilles E. Morin):** Is the pleasure of the House that the motion carry? Carried.  
1520

#### ORDERS OF THE DAY

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** Just before I call the first order, we'll be working our way through three orders today, and obviously I can't predict precisely how far we will get. But the orders I'll be dealing with today are the 37th order, the ninth order and the 38th order. The ninth order will be for committee of the whole House on Bill 175. I have some agreements with the other House leaders that I have to raise before we start that process.

Firstly, on the ninth order, for committee of the whole House on Bill 175, we have agreed, and I seek the consent of the House, to see any votes that are required in that committee stacked until the end of committee of the whole.

Secondly, there has been an agreement in the subcommittee of the finance and economic affairs committee that should we finish the 38th order either today or sometime between now and Thursday, December 1, the bill will be referred out to the finance and economic affairs committee for one day of hearings on December 1. I seek the agreement of the House on those matters.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it agreed? Agreed.

BUSINESS REGULATION REFORM ACT, 1994

LOI DE 1994 PORTANT RÉFORME  
DE LA RÉGLEMENTATION DES ENTREPRISES

Resuming the adjourned debate on Bill 187, An Act to reform the Law regulating Businesses / Projet de loi 187, Loi portant réforme du droit réglementant les entreprises.

**The Deputy Speaker (Mr Gilles E. Morin):** I believe that the last time the member for Dufferin-Peel had the floor.

**Mr David Tilson (Dufferin-Peel):** I would like to make a few comments with respect to Bill 187, which is put forward by the minister. It's called Clearing the Path legislation and it's designed, I suppose, to be a plank in this government's platform, which is going to say, "We have cleared up bureaucracy." In fact when introducing the bill the minister actually said that this bill reflects the government's commitment to cutting red tape for business.

I must say anyone in this House obviously encourages any government reducing red tape, reducing bureaucracy, but I have to say that watching what this government has done in the last four years and some-odd months, and the bureaucracy that has been created, I'm rather cynical. The names that are thought up for these pieces of legislation—Clearing the Path suggests that all the red tape is going to be cleared up.

I recall another word that was used, I think it was in the insurance legislation—I could have the wrong number—Bill 164, the NDP's answer to auto insurance. I think that was called The Road Ahead. When you look at that legislation, the insurance companies are just going berserk trying to figure out whether they can pay all the benefits that are being charged as a result of this legislation without increasing the rates unbelievably.

That was called The Road Ahead, that piece of legislation. This piece of legislation is called Clearing the Path. It's like the road's already been cluttered. I don't want to play games with names, but I sometimes think that's what the government's doing when they create these wonderful names as to their pieces of legislation. It's almost designed to say, "How can you not support this legislation," and of course we all support removing red tape from bureaucracy.

But I will just remember that the minister, the House leader, was in charge of bringing forward the auto insurance legislation and the problems that have been

created. All you have to do is ask anyone. Ask your neighbour next to you how their insurance premiums are going and they'll tell you their rates are going up and up and up. That was the answer why that legislation was brought forward. That legislation was brought forward to stop the increasing premiums.

It started back with the Liberal government and its Ontario motorist protection plan legislation, OMPP, and of course we watched how the Conservative Party and the NDP, when they were in opposition, fought that legislation. But all they've done with that legislation, that Bill 164 legislation, is create unbelievable bureaucracy and a myriad of regulations that a lot of people have trouble understanding.

An interesting document was put out by the government, Clearing the Path for Business Success. It really explains some of the things that are being done. It talks about, and I mentioned it in one of my responses to one of the previous speakers, some of the things that are being introduced to assist people in understanding this legislation. Remember what this legislation is for: This legislation is to stop bureaucracy.

I think someone has mentioned four forms are going to be eliminated or consolidated into one form, although I can hardly wait to see the size and the length and the complication of this new form. Who knows what it's going to look like and who knows how complicated it is. It may well be brief, and I hope it is, but I have my doubts.

As I explained in one of the responses I made to one of the earlier speakers, this document that has just put out by the Ministry of Consumer and Commercial Relations talks about some of the things that they're using, some of the tools that they're using, to help members of the public understand this legislation.

It talks about kits that have been prepared by the government—I have no idea at what cost or how many bureaucrats it took to prepare them—which include existing registration forms and provide general information about registering business names and for retail sales tax, employer health tax and workers' compensation. I assume those are the four forms that this legislation is designed to improve. Our party, of course, will be doing away with the health tax, so you won't need that anyway.

But then they say they're going to talk about a pamphlet. They're going to have a kit, and then they're going to have a pamphlet that's going to describe the kit, which is going to tell you how to understand the kit. Remember what we're talking about. We're talking about eliminating bureaucracy. So this pamphlet which is going to describe this kit also tells you how to get one, how to get this kit. They say it's now available for general distribution. It'll be available at constituency offices, government offices and business self-help offices.

Then it comes out with another thing. They say they're going to have a telephone line. They're going to have a help line where you can call to explain the pamphlet which explains the kit. So they're obviously anticipating—if someone has seen this form, I'd love to see it. I've never seen it. Has anyone over there seen it? I'll bet not. But I'm anticipating it's going to be very compli-



cated. Otherwise, why are we going through kits and pamphlets and help lines and self-help offices where work stations are going to be located?

This document, again which is prepared by the ministry, says the kit includes a covering letter describing this package. It talks about qualifying questions to aid clients in determining which forms are to be completed, an explanation of the registration process for each program area. This makes me dizzy just reading it, and yet what the legislation is designed to do is to simplify.

So I must say I'm terribly cynical about this legislation as to whether it's really going to solve the bureaucracy that has been created, and I don't care who it was created by. Whether it was created by the New Democratic government, the Liberal government or the Conservative government, there's no question the bureaucracy and the forms have to end, and many of the taxes have to end. Much of the taxation has to end, because it's the taxation that has created these forms.

You have to fill out all these funny forms. I know many offices in my riding hire people. They haven't got the time, and in many cases they haven't got the ability, to complete these myriad forms, so they actually hire people. Now, they do other things, but one of their job descriptions is to complete these many forms.

It's not just this government that's at fault for that. There's no question the government has forms as well. But I guess that's what our society is doing, so on the one hand I compliment the Minister of Consumer and Commercial Relations for at least making an attempt, but if she and other members of her party are going to come forward and say during the next election, "We reduced bureaucracy," I can tell you I am not going to accept that line if that indeed is what's going to be used.

I get cynical as well. Everything it seems that this government has done in the last four years—I know they honestly believe that some of the things they have done have been good things, that they help people, whether you're talking employment equity, whether you're talking advocacy—every piece of legislation has a commission. The employment equity legislation has an Employment Equity Commissioner. The advocacy legislation has a commissioner, and of course that was very controversial. Mr Reville, I think, is the head of that now and it was very controversial in his appointment—but the bureaucracy that goes with these things.

Again, I remind the government that they have now an opportunity to eliminate bureaucracy, and I think it has gotten so bad, the bureaucracy of this province, that no one knows what to do. The very fact that we have to hire people to complete forms is unbelievable.

1530

When you start talking about the Advocacy Commission, which was established by Bill 174, and all the criticisms of that bill—I know I'm getting a little bit off topic when I start talking about advocacy commissions, but we're talking about bureaucracy. We're talking about advocates, which the advocacy legislation created, and in many cases people don't know what to do. They don't even know what an advocate is. The legislation doesn't

make any mention as to who or what an advocate should be. It doesn't offer any guidelines as to the types of qualifications that an advocate should have or the levels of training that should be required. Again, we're creating bureaucracies with all of these things, and yet we come along with Bill 187 and the minister in her opening statement says, "This bill reflects the government's commitment to cutting red tape for business."

I hope you can see why I'm cynical of it, because I don't understand, particularly with these bureaucracies that have been created. The Advocacy Commission: I've no idea what it costs. I'm sure it came out in the hearings what it's anticipated it's going to cost and the complications that are going to be involved, the forms that are going to be involved, the regulations that are going to be involved for the average person to deal with these things, particularly when we're talking about advocates and we don't even know what an advocate is.

You know, there is a candidate who told the committee that heard this legislation that she believed it was appropriate for an advocate to offer advice to a mentally challenged pregnant woman on whether to carry her child to term or discontinue her pregnancy, even though the advocate was an active member of the pro-choice or pro-life movement. So you question the ability of any individual to advise objectively when their own personal values are involved.

What I'm saying is that we're very critical of these pieces of legislation that have been introduced gradually in the last four years plus so many months, because of the bureaucracy, because of the weight of the debt that has been impacted. Will these things work? Will these bureaucracies work?

The advocacy legislation, for example: There are over 100,000 people in Ontario in rest homes alone and there are over 220 hospitals across the province. There are only going to be 150 advocates, assuming we know what they are, paid for by the taxpayer. I guess the question is whether it's even possible to handle this bureaucracy. We create this bureaucracy and then we come along with Bill 187 and say, "Look what we're doing to solve the bureaucracy of this province."

I attended some of the hearings with the Employment Equity Commission, and one of the big concerns was that the Human Rights Commission doesn't handle, can't handle, all of its cases, that they're bogged down for something like over a year before any case is heard.

**Ms Christel Haeck (St Catharines-Brock):** On a point of order, Mr Speaker, just a small point of order: I'm wondering if the member would like to stick to Bill 187, as opposed to reaching beyond into other areas that in fact are not in the ambit of the bill.

**The Deputy Speaker:** Thank you for kindly helping the Chair. The member for Dufferin-Peel.

**Mr Tilson:** I know what you're saying when you say, "Are these topics of commissions relevant?" I get concerned when your minister stands in her place and says, "This bill reflects the government's commitment to cutting red tape in this province." I'm only saying the obvious. I'm listing off some of the commissions and

some of the bureaucracies that you've created, and I'm saying that the bureaucracies and the red tape that you've created for the people of this province simply are unbelievable.

I'm terribly cynical of this piece of legislation. I suspect the bill is going to carry. I suspect that you're going to get support from all three parties, but I can tell you that we're cynical when we listen to you give the implication that you're solving the red tape.

I can't let go by another commission that was created.

**Mr Norm Jamison (Norfolk):** What happened after 42 years?

**Mr Tilson:** Well, you know, the good old line of what happened after 42 years: I'll tell you what happened after 42 years. This government has created more red tape and more bureaucracy and more commissions than have ever been heard of in this province, all in the short space of four years. We're overwhelmed with bureaucracy. We're overwhelmed with red tape. So don't try and tell me what's been going on after 42 years. I'm telling you what's been going on after four years and the red tape that you've created.

I can't let it go by without talking about the red tape that was created with the Environmental Bill of Rights. Everybody supports the principle of the Environmental Bill of Rights, except it's creating a bureaucracy that we can't afford. The minimum estimate that it was going to cost for that bureaucracy is \$4.5 million.

I guess the principle of that piece of legislation is that you have an office called the Office of the Environmental Commissioner, and I'm not questioning the ability—

**Ms Haeck:** Mr Speaker?

**The Deputy Speaker:** On a point of order? When you stand up, you have to say "On a point of order," otherwise I don't know why you're getting up.

**Ms Haeck:** A point of order, Mr Speaker. I'm sorry; I don't do these very often. But I have been paying attention to what the member has been saying and I really would be interested in his remarks on Bill 187 since I know that he probably has some good things to say, but up until this point he's been a little wide in his smart remarks.

**The Deputy Speaker:** It's been quite a habit recently for members not to address themselves to—and I'm sorry to say that all members were guilty of that. I would like to remind the member for Dufferin-Peel just to debate Bill 187.

**Mr Tilson:** Mr Speaker, I am trying to do that and I feel I have the right to refer to other examples of bureaucracy. When you read Bill 187, it talks about what the purpose of the bill is. The purpose of this is set out in section 1 of Bill 187 and it talks about, "The purpose of this act is to assist the formation and operation of businesses in Ontario by simplifying government regulatory requirements and eliminating duplication in procedures and improving government organizational arrangements." That's the purpose of the bill.

I have every right, Mr Speaker, to stand in my place and talk about the massive bureaucracy that's been created by this government in a very short period of time

with unheard-of commissions that are doing absolutely nothing; most unsatisfactory results. So I have every right to say that, Mr Speaker. I know that I am not referring to specific sections and it may be at another time we'll get into going through clause-by-clause debate of this, but when this bill talks about, "That's the purpose of this piece of legislation," I have every right in this world to show how this government has, in the last four years, created all this bureaucracy and then they have the nerve to come into this place and say, "We've solved the bureaucracy."

Can you imagine it? Can you imagine at the next election campaign they're going to stand on the campaign hustings, they're going to wave Bill 187 in our faces and they're going to say: "We solved the bureaucracy of this province. There's no more bureaucracy. We've made major cuts with respect to the red tape"?

I say to you, Mr Speaker and all members of this House, that is not what has happened. In fact, we've gone the other way. With all the many, many commissions that have been created, and it's most relevant for me to list—I know the government doesn't like to hear that. I know they don't like to hear about the bureaucracies that they've created. They can't pass a piece of legislation in this place without creating yet another bureaucracy, yet another commission that's doing who knows what.

1540

The most amazing thing happened to me with the creation of the environmental commission with respect to environmental rights. It was supposed to deal with environmental problems that different ministries are not following. It's supposed to deal with cutting back on bureaucracy. It's supposed to do with solving environmental issues or assisting in drawing to people's attention environmental problems in this province.

When the bill was passed, myself and Mrs Marland, the member for Mississauga South, or wherever she's from—

**Mr Gregory S. Sorbara (York Centre):** Go easy on Margaret. Get it right.

**Mr Tilson:** I will. You're right; I should look it up.

Mrs Marland—and everyone knows who Mrs Marland is—we wrote a letter to the Environmental Commissioner expressing our concern with this wonderful Flying Toad co-op on the Toronto Islands. We were concerned with the environmental issues that were being created and the bureaucracy that's being created at that particular site.

The Office of the Environmental Commissioner wrote me back a letter in response to our letter—and this is a group that's trying to solve bureaucracy in all environmental issues and other matters—saying:

"The commissioner has completed a review of Bill 61 and the consequent expansion of housing on the Toronto Islands. The information and documentation available indicates that the proposal to develop cooperative housing on Toronto Islands is within the jurisdiction of the Toronto Islands Residential Community Trust Corp and is mandated by Bill 61." Well, I knew that.

"Pursuant to section 61(1) of the Environmental Bill of Rights, 1993, and Ontario regulation 73/94, a request for



a review"—and this is the request that Mrs Marland and I made—"of the Toronto Islands Residential Community Stewardship Act may not be considered until April 1, 1998." That's when they're going to look at it.

The building's going to be up and who knows if the problems are going to be solved. All we're trying to do is to ask the Environmental Commissioner's office to deal with matters that we feel are inappropriately taken by the Ministry of Housing and the Ministry of Environment and Energy, and that's the earliest that she can look at it.

This is a commission that is supposed to cut through the red tape of other ministries. That was the very first thing I saw when this bill came forward: this letter. This is a prime example of unbelievable bureaucracy. The building will be up, the people will be living in it before the Environmental Commissioner can look at it and determine whether or not our charges are well-founded.

I'll tell you, if that's an example of what the commissioner's office is going to be doing, then the whole thing is a farce, the whole environmental commission is a farce.

Look at other pieces. Look at the Human Rights Commission and, yes, that was not created by this government, but there's no question there are a lot of problems with it. Why don't they cut down some of the red tape there? Why are they talking about unifying some four forms? Why don't they cut down on some of the red tape there? There are very serious human rights problems in this province in that this government doesn't appear to be doing it.

Of course, then we get into conflict of interest, and the scads of bureaucracy that's created with that. I think we shake our heads even when decisions are made. We had the former Minister of Mines charged and convicted, essentially, by the conflict commissioner of violating the rules. Yet nothing happened. You have all these rules, you create all these commissions, you create all these bureaucracies, they cost zillions of dollars and nothing happens. Then we come out with this bill which was introduced November 3 and we listened to the minister say, "Oh, this reflects the government's commitment to cutting red tape for business."

It says that the purpose of the bill is to simplify government processes for starting and operating businesses. Bill 187 allows the Lieutenant Governor to designate any act for the purpose of the bill and so on, pretty boring stuff. As I say, I'm sure most members of the House will support it, notwithstanding the fact, I hope, that they're not taking four forms and reducing it to one form which will be unbelievably complicated. If someone has that form over there, I'd love to see it, because I'm very suspicious that it will be even more complicated than the previous forms.

I look at some of the forms that are being created. One of the forms I gather that this government's going to deal with in this piece of legislation is the change-of-name form, or the registration of a business name. Look at some of the forms that exist for corporations. It used to be, I thought, fairly simple. I mean, there's no question that the public is entitled to know who the directors of a corporation are and who the officers are and their

addresses and when they became directors and when they resigned; that's all standard stuff. It used to be in a very simplified form. Now, of course, you look at it and it's rather complicated. It is, if you have to look at it. It was just changed fairly recently.

Of course, I guess you have to justify charging \$75. The minister stood in her place and made some comments when this matter was last debated in the House, talking about the \$75 that's charged as the annual fee. She said, "The reason why we're doing it is because everybody else does it." It seems that at that very time the forms started to get more complicated. In other words, I guess if you make things complicated, that's going to cost money.

We're talking about doing business in this province; we're talking about surviving in this province. I'm sure someone over there's going to stand up and list off all the many businesses that have started, but I can tell you, in my own riding of Dufferin-Peel, I have had individuals come to me and say: "Listen, I have been approached by some of the southern states. I've been approached by the governments in North Carolina and Tennessee and some of these other governments. They don't have all this stuff. In fact, they encourage us to operate. They really do."

*Interjection.*

**Mr Tilson:** Well, they do, they encourage, and companies are going down there. They're leaving this province with all the jobs that did exist here and they're going to those places. Why are they going down there? Because of the tax structure, because of the union laws, because of less bureaucracy, because it's much simpler to operate in those states.

I know—I will guarantee—that in some two-minute response or at another time, members of the government are going to stand up and list companies. I can't believe that you don't have people in your own ridings where you've experienced that, where they have told you that they're going to other jurisdictions because of all of this stuff. So here we are with Bill 187, and it's supposed to be the saviour of bureaucracy.

I stand here. I'm terribly cynical when I look at the forms. I understand that there are in excess of 43,000 forms that the government requires to be filed every year, 43,000 forms in different aspects throughout our society that have to be completed by the citizens of this province every year, and this bill is going to do away with four of them. In fact, they're going to make one out of four, and it'll probably be a very complicated form.

I give a slight pat on the back to the minister, but you can do much better. I'd get the member standing up in her place criticizing me for getting off topic listing all the bureaucracy that's been created, but I get annoyed when you stand and you say: "This is what we're doing. This is how we're solving the bureaucracy of this place."

As I say, I support the principle of the legislation. The purpose of the legislation is to move towards a single form for registration in businesses, reducing some four forms to one.

The bill won't reduce taxes, the bill won't reduce the regulatory burden, but it purports to reduce the compli-

ance burden. I think as well, for example, that the number of dates is being diminished. Some members are right: There are some positive aspects to this bill. But it's not close enough to saying that we're solving the problem, that—what were the minister's words?—"It reflects the government's commitment to cutting the red tape."

The government states that Clearing the Path initiatives will help business in Ontario, but at the same time we have to remember the punitive tax measures that the NDP deal in, such as the \$75 corporate tax filing fee which the minister referred to in her remarks the day before yesterday. Almost every step they take in improving the situation is a negligible one.

1550

Mr Speaker, I thank you for allowing me to make my remarks today. There are other things we could talk about with respect to the bureaucracy. We could talk about Jobs Ontario. That's another plank that I know the government's going to be talking about. They're going to say, "Look at all the jobs we've created." Everyone stands up and says that. All the ministers stand up. Everything is Jobs Ontario. I had a museum in my riding that was built under Jobs Ontario. It's a magnificent museum, I might add. It's in the county of Dufferin. But I get cynical when they say it's solving Jobs Ontario.

Just remember when you're talking about these wonderful bureaucracies that you're creating, read the Provincial Auditor's report as an example and look at the unbelievable waste that you've created, the very fact that the administration, the bureaucracy, costs something like \$70 million.

**The Deputy Speaker:** Are there any questions or comments?

**Mr James J. Bradley (St Catharines):** I was intrigued with the member's reference, because it's an appropriate one, to the corporate filing fee. Many people have written to us, many people have called our constituency offices to complain about the corporate filing fee and the fact that it's an imposition on business.

The people from various organizations which are non-profit have also been concerned that they would be faced with this charge. They got letters saying they would be out of business, and I'm pleased that you did raise that. I wish I could say more but—

**Mr Jamison:** Good water.

**Mr Bradley:** Good water is all that will keep me going in this case.

The member has also appropriately pointed out that this is a very small step forward, not a major step forward, in dealing with the problems of business. I know he would probably have received the same kind of representations from people who own car repair shops who would have new forms being presented to the car repair shop. These new forms are rather interesting, because the only significant difference appears to be the colour of the forms and the cost of those forms.

I spoke to an individual who runs an auto shop in St Catharines where I take my car once in a while to get it maintained and fixed and I must say he made a very good point. He's not a person who complains that much

about government. He's pretty even-handed and understands, but one of the things he mentioned was the fact that governments keep hitting him with new forms and new costs for these forms. If that were part of this legislation, it would be even more supportable than it is at the present time, where I understand all parties will be approving this small step for humanity.

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** I appreciate the member's support for this bill. He recognizes that this is something business does look forward to, streamlining the operations of government. We appreciate his support on that.

The point I wanted to comment on was that he made a point of saying that businesses were leaving Ontario and moving to the southern United States and other jurisdictions. I wanted the member to know that in the last year, in the food industry, only California had more investment in the food industry than Ontario. So in terms of North America, all jurisdictions, there was more investment in the food industry in this province than there was in any other jurisdiction except California.

While we hear about some of the high-profile closures of plants that have happened, in the main because of the Mulroney agenda that we've had to endure, business does come to Ontario. It has faith in the economy, in the well-trained workers, the education we have in this province, the health care programs we have. These are all attractive to investors in the food industry. I wanted the member to know that, and I'm sure he'd appreciate putting that into the next speech he gives when he talks about business investing here in Ontario.

**Mr Anthony Perruzza (Downsview):** Thank you for this short opportunity to address some of the comments that were made. I agree that it is a small step. I don't think that anybody in this place is deluding themselves into believing that somehow in doing this it is going to be a major breakthrough for business. But I would venture to say that it is a small step in a series of small steps, and some of them not so small, that have been taken by this government to assist business, because many here will recognize and know that free trade has put an unbelievable pressure on many of our businesses, quite frankly, and many of our businesses weren't fully prepared for the pressures that single act would bring to bear on their activities.

What this government has done in response to many of those pressures and to many of those needs is that we have lowered the small business tax rate. We did that. We did that several budgets ago, and I think that went a long way to assisting many businesses.

For many businesses in the Metropolitan Toronto area, where business has probably been hurt the worst, we removed the commercial concentration tax. For many people out there who do not know, that was a Liberal tax imposed on businesses, on business activities, to the tune of \$1 for every square foot of space that they occupied. It was like a property tax. You occupy 10,000 square feet of space, you pay \$10,000 in commercial concentration tax per year. That was unbearable, and we got rid of that, we removed that.

We have introduced basically a moratorium for



businesses as it relates to the employer health tax for new hires. That is a substantial step as well.

**The Deputy Speaker:** Your time has expired. Any further questions or comments? The member for Dufferin-Peel, you have two minutes.

**Mr Tilson:** There was a movie out several years ago where some character, I think it was Bill Murray, talked about baby steps. You all remember the baby steps. This is a baby step. The member for Downsview acknowledges that it's a baby step. I'm simply saying it should be a giant step.

We all acknowledge that the bureaucracy in this province has got out of hand, and yes, it probably got out of hand by a series of governments, and yes, I'm not going to heap the blame all on your government. I'm going to heap a lot of it, but I'm not going to heap all of it. All I'm saying is that you've got an opportunity. You are in government. I don't think you're going to be in much longer; you may think you're in for another term. But the fact of the matter is that you've been here four years. You've got an opportunity to do major things. I'm simply saying that baby steps are not enough.

With respect to the corporate filing fee, I think the member for St Catharines raised the issue of the corporate filing fee and even the minister couldn't resist talking about how it was needed in this province. I'm telling you it's not needed in this province. We all, members of this House from all sides, have received letters and telephone calls and petitions criticizing this unneeded and unwanted tax when the only justification that it has is because everybody else is doing it. Well, I'm saying if everybody else is doing it, why don't you be different, why don't you do something different in this country?

The bond raters are very concerned. They're very concerned about this province, and yes, they're very concerned about the federal government, and I'm sure you're going to talk about some previous government that caused problems there. The fact of the matter is the debt in this province has reached unbelievable stages. I think we're paying \$1 billion a month on interest alone with respect to the debt in this province. So we have to look at lowering the taxes and we have to look at reducing the bureaucracy in this province, and this bill is not enough.

**The Deputy Speaker:** Any further debate?

**Mr Robert V. Callahan (Brampton South):** It's a pleasure to join in this debate, and let me say at the outset that any move, as small as it may be, is welcomed by our party. Business itself has enough difficulties just riding out of a recession, a very serious recession; in fact, I'd call it a depression. Probably the only reason we weren't jumping out of windows as they did in the 1930s was that we were wise enough as Canadians to build in a social safety net that protected people.

But in reality Canada and Ontario have been slow to come out of it, basically because every time the US burps or the yen goes up or down, our foreign debt, so much of that foreign debt being out there, is in fact a burden on us. As I say, this party certainly welcomes the small steps that are being taken by the government with reference to this.

Having said that, perhaps I should let the other shoe drop. We have been into computers and electronic mailing and so on; it's become the order of the day. In fact, most of us will probably be very disturbed when we call somebody up and we get what they call "voice mail" at the other end. I've spoken some days to at least 25 voice mails and never talked to a human being. With this technology that we have, it's interesting that it's only at this stage of the game that this small step is taken by the NDP government. One has to say to oneself—applaud them for it, yes, but wonder whether this is "clearing the path" for business, or is it "clearing the path" for an election?

1600

We've had untold numbers of bills that have come through this House. We've had untold comments from people out in the business community and also in the not-business community stating that some of the legislation—much of the legislation—that's been brought during the term of this government has in fact been an interferent or an irritant to business.

I have to applaud the business community and I have to applaud other citizens of this province that they've been able to survive even though they were carrying the weight of a depression on their backs, that they were able to survive despite the fact that this legislation interfered to a large degree with their life, their business, the way they could carry on their lives in this province, that they have successfully weathered the storm.

I tell them that they won't have to wait much longer, because I suspect that the plug will be pulled very shortly. In fact, I wouldn't be surprised if there isn't just a throne speech in the spring, maybe a few days of trying to gussy up the facts in that throne speech, promising everything from soup to nuts, and then suddenly we will all disappear and we'll go out and nail up signs and this government will ask to be reinstated.

They will then try to use Bill 187 as one of the small indicia of how they have tried to clear the path for business. I would say that although, as I started, we applaud this small step, that small step will be recognized by business as the fact that it is a small step and that it's probably one of the first small steps that have been carried out by this government.

As an interesting sideline, I understand that this is just tinkering at the edges. They've really not gotten into the way that one could solve the difficulties that not just business but even the average Ontarian has in terms of dealing with his or her government.

Let's take for example the question of, even though computers are in existence, we must have either the worst computers in the world or the most outdated. If a person wants to pay a parking ticket, they pay the ticket at their local courthouse or whatever. Perhaps their licence has been suspended because they didn't pay it on time, and they figure that they can go and drive home. Well, they can't. There has to be 10 days before their licence is reinstated. That's even if they've paid cash. That, to me, is absolutely mind-boggling. I've always believed that if you pay cash for something, you don't have to wait for the cheque to clear the bank, and therefore you should be

entitled to have your rights reinstated to you as a citizen of this province.

I remember the débâcle in my community over the use of technology and so-called clearing the path when people were going to renew their licence plates and found that they had all sorts of tickets that had not been paid that were on the computer, and yet these people had been renewing their licence plates for years before that under the same principle that when you renewed your licence plates, you paid up all your parking tickets or your speeding tickets or whatever else. Suddenly, these were coming out of nowhere. They were magical. They just appeared. People were being required to pay these extraordinary amounts, often believing that they had already paid them.

In fact, I can remember that in our courthouse in Peel, people were lined up at the counter, and I guess the government relented a bit, because they were giving them the opportunity to go and swear an oath before a justice of the peace that they'd paid these tickets. If they could show some proof, a cheque or whatever, they didn't have to pay them again. That to me is mind-boggling. That in this day and age of high tech you can have that type of interference, that type of inconvenience for the citizens of this province, is mind-boggling, absolutely mind-boggling.

The question of being able to file by fax or by electronic mail or by computer seems to be so obvious that it should have been the hallmark of this government. It should have been the first thing you did. It should have been the thing you did as you came into office. You should have said, "We're going to put everything on computer. We're going to try to eliminate the disabilities and the problems for business people and all those other people, the citizens of Ontario," but you didn't.

Why do you wait until the last hour? Is this a sudden conversion on the road to Damascus? It's a very small conversion. You probably weren't even knocked off the horse or blinded. I think you've been blinded since the day this government came into existence. You had a golden opportunity to take this province into the electronic age and here we are on November 23, with probably about two weeks to go in this session and then maybe just a trickle in the spring before an election, and we have this legislation being introduced by the Minister of Consumer and Commercial Relations.

I'm sure the people of this province would have greatly applauded the introduction of this type of legislation in a much larger fashion, rather than having the minister tinkering with the casino down in Windsor. The casino was not something that was going to help business people in this province; it wasn't going to help the average citizen of Ontario. It was in fact just an opportunity to gather large sums of money to fill the coffers to support that constantly growing deficit, which is probably now an accumulated deficit, if people understand it, in the amount of about \$90 billion. By the time this government has taken its last gasping breath, it will probably be in the neighbourhood of \$100 billion. The interest on that alone in order to pay that off is probably what constitutes our annual deficit.

There are things they could have done for business to try to streamline government, to try to streamline the way business can communicate with government, and perhaps more important is to get out of the back pockets of these people's businesses. Let them get on with business. If you spend the amount of time that I'm sure the businessmen watching this program and just small entrepreneurs spend in trying to fill out all the myriad of forms that have been created, not just by the existing government bureaucracy but also by all the bills that you've introduced over the course of your almost five years, then you really make it very difficult for these people to try to continue practising their business.

Just as an example, I understand that in Niagara—you would understand this, Madam Speaker—the wine growers had to obtain 44 separate approvals to hold a wine-tasting event.

That's absolutely amazing. I would have thought that would have triggered, and certainly should have triggered in the member from Niagara, a concern that this tinkering, this sort of clipping around the edges was not adequate, that there should be a full incursion into the question of trying to provide a streamlining of the bureaucracy, a reduction of the bureaucracy.

What we would promise, and we have promised it and will continue to promise it, is that we're going to take these regulations that you seem to have accumulated like marbles over the last five years and get rid of them, throw them out.

I find it interesting—

*Interjections.*

**The Acting Speaker (Ms Margaret H. Harrington):** Order.

**Mr Callahan:** Since I seem to have upset the bears over there, I'm going to turn my direction to the good and kind Conservative government that was in power for some 42 years. The member for Parry Sound had the audacity to stand up and to complain about the NDP's bill in a much stronger way than I am, I guess. He claimed that there was something like 43,164 forms that the province requires filed each year. He forgets to tell us that the Conservative government had 42 years to accumulate all those forms and the largest bunch of forms—

**Mr Charles Harnick (Willowdale):** I'll stake our 42 years against your five any day, Bob.

**Mr Callahan:** Oh, I've frightened the bears over here too. The largest number of forms were accumulated during the Conservative regime.

**Mr Harnick:** How much did you spend? When you left office, 35 tax increases, concentration tax—

**The Acting Speaker:** Interjections are out of order.

**Mr Callahan:** Mike Harris, who is the proponent of, what does he call it? Is it the funny—no, no. What is it? What do they call it? Come on.

**Interjection:** Nonsensical Revolution.

**Mr Callahan:** Nonsensical Revolution. No, the Common Sense Revolution. Mr Harris goes around this province pleading this whole program that he's got and he has promised the Conservatives would reduce govern-



ment red tape by 100%. Of course, the Conservatives made a similar promise—

**Mr Harnick:** Tell us where the Liberals stand on taxes and on spending. Tell everybody how your leader's going to cut 50% of the red tape.

**The Acting Speaker:** Order. The member for Willowdale, come to order.

1610

**Mr Harnick:** Tell us about cutting 50% of the red tape with a straight face, Mr Callahan.

**Mr Callahan:** I think, Madam Speaker, that I have gotten to the—

**The Acting Speaker:** Take your seat. Interjections are out of order. One person has the floor. Would you please continue.

**Mr Callahan:** I'm sorry. I don't want to get the member for Willowdale too exercised, but the Conservatives made a similar promise nearly 20 years ago and then continued to add to the mass of forms and regulations they had put in place since the time of George Drew. What was going on then? Why did they not start the process?

Perhaps the NDP, having been in opposition for so long, was so attracted by the way the Conservative government operated that they wanted to emulate them and go out of office the same way they went out of office, by overregulating this province.

I remember the Minister of Municipal Affairs. I was at an event in my riding where he was introducing the infrastructure money and he looked down at former Premier Bill Davis, who's a good friend of mine and a neighbour, and he said, "Mr Davis, I admired you when I was in opposition because I loved the way you were able to give an answer to a question that took so long that you limited the number of questions that could be asked of other ministers in the House."

Immediately that same day, when the Minister of Municipal Affairs came back from the good city of Brampton, he tried to do exactly that. He tried to spin out a question so that the time would disappear and other members would not have an opportunity to ask questions.

I suggest that this government watched very closely, while they were in opposition, the Conservative government and how they did this, and they've just emulated them, is what they've done.

I can remember in the days of the Conservative government as well that every time an election was about to roll around the Conservative government would suddenly come up with some catchy tune or phrase, or principle or policy, that they were going to take into the election. It was time to fool the people again.

*Interjections.*

**Mr Callahan:** That's precisely what the New Democratic Party government is doing by this simple piece of legislation whereby they're not really putting their shovel in the ground and digging deep to help business people out, to reduce the number of forms. They're cutting around the edges. They call it Clearing the Path, which I find incredible. Usually when you clear the path, you

clear the path entirely; you don't just run a small line through.

**Mr Noel Duignan (Halton North):** What's your policy, Bob?

**Mr Callahan:** Let me tell you.

**Mr Duignan:** What's the Liberal policy?

**The Acting Speaker:** The member for Halton North, come to order.

**Mr Duignan:** You've got 16 minutes to tell us.

**The Acting Speaker:** Order.

**Mr Callahan:** I'll give you a few examples of how you could save a lot of money in this government and how you could clear the path. I'm glad the Attorney General's here because I'm suggesting this to you Madam Attorney: Every day of the year, day in and day out, other than Saturdays and Sundays, we have police services that are paid for by municipalities being required to transport prisoners from lockup to the court. I was up in Ottawa the other day and I've discovered that they're housing prisoners up there on remand who actually have their trials here in good old southern Ontario. It means they drive from Ottawa down to, say, Brampton, Whitby and so on, and that means they have to do that every eight days if the accused does not consent to a remand longer than that.

In fact, you've constantly got these vans on the highway. I'm surprised they haven't put photo-radar in them; they could collect a little of the money that it's costing them to transport the prisoners. What they're doing is they're just bringing them down, they're just bringing them from the Ottawa jail down to Brampton court or to Mississauga court or to a Toronto court. They're spending all that money, they're using all that valuable police manpower and they could solve the problem by one simple thing, and it would be clearing the path. If there were legislative changes made that would allow the criminal information, which is the initial document of a criminal prosecution—

**Mr Randy R. Hope (Chatham-Kent):** On a point of order, Madam Speaker: The point I'm trying to raise is that using the words "clearing the path" is not making reference to the legislation. The member is completely off topic. He's been speaking about the judicial process, and by using the words "clearing the path" in his statements—Clearing the Path is dealing with the legislation around the small business community. He has not made reference to that. I'd ask you to call the member to order and place his comments directly towards the legislation.

**The Acting Speaker:** I appreciate the member's comments. The member who is speaking does have the leeway to try to relate what he is saying to the bill.

**Mr Callahan:** They asked me how we would do things, and I'm giving them one small example. If the criminal information that initiates the proceeding was able to be faxed or electronically sent by computer to that court in Ottawa, the closest one to the lockup, you in fact would not have these vans on the road travelling and using valuable police resources and costing the taxpayers of this province significant money. In fact, the person could be remanded in Ottawa. They could even be

remanded in the jail. Not one step has been taken along those lines by the Attorney General, and yet here you have a small effort to try to placate the business community.

I suggest that maybe what you should be looking at is a real incursion into the question of dealing with clearing the path, of in fact providing opportunities to reduce the red tape and also reduce the cost of doing business in government, because the people of this province are getting frightened by the constantly increasing deficits that you've had over the years in this place, the last five years, the fact that the accumulated deficit is fast approaching \$100 billion; it's about \$90 billion now. That's just one example of what I would say is a new way, an imaginative way.

Instead, what do you do? You create situations where—and this is another example—if I get a ticket now, under Bill 47, I can no longer pay it or set a trial date in my own courthouse unless I'm 100 kilometres away or disabled; I have to travel to that area. If that's telling the people of this province who from time to time get a parking ticket or perhaps a speeding ticket or whatever, "We want you to have the opportunity to be able to defend yourself" rather than, "We just want your money," it's a tough way of saying it.

**The Acting Speaker:** I would remind the member that we are debating Bill 187. Could you relate your remarks.

**Mr Callahan:** I appreciate that, Madam Speaker. I'm trying to relate it to that. I'm trying to relate it to the modern approach of this government. They could have gone much further. The final result is that this is all being done by regulation. That's an expeditious way to do it because that's a cabinet order, for the people who are watching. It's called a regulation, but it's really something the cabinet does, and nobody ever sees it except the cabinet. So we have to rely upon the cabinet looking at it in terms of trying to provide the best way of doing things and so on. It's really not done by anybody in this Legislature. I think that has some difficulty.

The other fact, as I understand it, is that this bill allows for future initiatives, which means it won't kick in until September 1995. I wonder if there is something sort of futuristic or prophetic about that. Does this mean that we're going to have an election in September 1995, or does it mean that they don't want to do it now because they haven't figured out how to do it? Why is it being delayed until September 1995?

One would have thought that with the four and a half years they've had to figure this out and finally bring this small piece of legislation forward they would have in fact known how to do it and everything would have been in place and it could kick right in tomorrow. That's what the business community wants. They don't want to wait. They can't wait until September 1995. That really boggles the imagination, as it's doing nothing for business today.

The government will also be able to make changes to the administration of any statute—that's the purpose of it—as it pertains to business registration or reporting requirements. That's good, but it's just not sufficient to

satisfy anyone. All it does is whet the appetite of the business community out there and those other individuals who are perhaps not in the business community who are going to have the opportunity to deal in filings in a more expeditious way. It just whets their appetite. Why are you so slow in doing this? People have been using technology of this type for a long time.

Someone was talking today, in I think a question from the third party, or maybe it was a statement, about junk mail, the myriad of forms that are sent out. I would suspect that many businessmen, when they get these forms that are required by the government, probably consider them to be junk mail too. I'll bet you many of them never get sent in. I'll bet you the government, if the government follows up, and I suspect it may or may not follow up, but if it does it means that it has to spend extra time, extra resources to follow up on that. So it would have been very much more expeditious to have this brought in earlier, that's what I'm saying.

In the final analysis, I do say that our party will be supporting it because, obviously, any step taken by this government, whether it be minuscule or of great quantity, we will support if it's helping business and taking the red tape out of business. That's in fact the commitment of our leader, that's the commitment of our party, that we're going to take government off the backs of people, reduce the regulatory process to allow business to do what it best does in an environment where it's not handcuffed by the bureaucracy and handcuffed by the government.

1620

**Mr Harnick:** Phone your leader and ask her how she's going to do it.

**Mr Callahan:** The member from the third party is asking me questions about how my leader is going to do certain things. I certainly think the questions that are asked of Mr Harris in terms of being able to reduce the taxes to the point he says he's going to reduce them and not reduce any of the essential services to this province, actually require someone to take a great leap of faith. I suspect people will query that and will look at that very closely and determine that the Common Sense Revolution really has no common sense to it whatsoever. It's a dream. It's Mr Harris asking the people of this province to take a leap of faith that is significant.

**Mr Duignan:** What's your policy, Bob?

**Mr Callahan:** The New Democratic Party now is asking us what our policy is. Our policy is very clear. It's obvious that you're not listening. I can assure you it will not be An Agenda for People. I don't know if there's anybody in this Legislature who still has a copy of the Agenda for People, but I'm not sure what page we're at. I think we're at page 1, if we're at that. This may have been in there somewhere. But all of the promises that were made in the previous election by the now Premier and his party—none of them have been kept. In fact, what you've done is disappointed all those people who supported you traditionally and you've not done one thing for them. I suspect that in the throne speech, if I'm right, in March—yes, I will come back, Madam Speaker; I just want to demonstrate.



I think the throne speech in March, when we hear that throne speech, will promise everything from soup to nuts. It'll promise all of those good NDP supporters everything they ever wanted. It'll be like a wish list for Christmas. You know what'll happen? The Legislature will sit for probably about 10 or 15 days and suddenly the election will be called and they'll go out to the people with this already preprinted.

That's what amazes me. You people are very good in government in terms of preparing for an election, having your documents all ready for the election, and yet this bill is not going to kick in till September 1995. Maybe somebody can answer that. Maybe the minister will return to the House and tell us why it takes till September 1995 to try and give this small bit of opportunity to business people to get government off their backs.

**Mr Jamison:** Outline your wide-ranging policy in six minutes, go ahead.

**The Acting Speaker:** There will be time for comments and questions after the member is finished.

**Mr Callahan:** Actually, that's right. You get questions and comments, so just stay cool. You'll have your opportunity.

I think the opportunities the government had—I gave a few examples of it and I think there are many more. For instance, the fact that you can now go to one of these centres that they're going to set up in order to establish an unincorporated business—why was that not done before? Why was it all centralized? Why were there corporate taxes introduced which originally were on non-profit corporations as well as profit corporations?

I can tell you, Madam Speaker, you probably experienced this, and I'll bet you every member of this House has. Every one of us has had at least one constituent whose corporation went poof; it was gone. It was gone because they had failed to file this magic form. The net result was that they would have to go before the committee that's, I believe, chaired by the member for St Catharines-Brock—regulations and private bills. They would have to spend a lot of money to hire a lawyer, they would have to pay the fees to the committee, and they would then have to come before that committee, because I chaired that committee, and they would have to have their corporations revived.

To the credit of the government, after it had heard enough complaints about this, and I guess most of their members had experienced this situation with people rapping on their door and saying, "Hello. My corporation is no longer in existence; can you do something about it?" the government had a change of heart. It changed its policy and thereby it gave these people the opportunity to have them revived without the necessity of going through this process. But, in fairness, the people who before they made that brilliant discovery that you shouldn't put these people through this unnecessary expense and through the unnecessary procedure of going before the regulations and private bills committee—those people who complied in advance, I don't see anybody paying them back their legal fees or paying them back the fees they had to pay. Suddenly it was just cut off in midstream. So those people who didn't do it and were smart enough not to do

it got a reprieve from the NDP government and the people who had already done it didn't get any money back. Now, if that's fair, there's something very wrong.

There was an opportunity for you to make real friends in the business community. There are a lot of businessmen out there who had corporations that had been in existence for a very long time. They were probably private corporations, very few changes of the directorships, no real necessity to file a document stating any changes, and yet you brought in this what I term a very ill-advised policy to try to collect additional funds.

There's a clear example of how this government, in an effort to try and bolster the amount of money they had to cover that massive deficit, took a step policywise which was very ill-conceived and it injured a lot of business people in this community, small business people who of course, as you know, constitute and create the majority of the jobs in this province. So, in fact, in one fell swoop they made a policy that had a very bad effect on business.

Here they are back at the gate again with, as I say, something we will support, but a very minuscule move towards trying to placate and to assist the business community. In fact, they're doing it almost on the eve of an election. Hopefully, they wouldn't be foolish enough to call it while the snow flows. I don't see anybody smiling over there, so I trust we can wait till the spring.

**Ms Evelyn Gigantes (Ottawa Centre):** This is a smile.

**Mr Callahan:** Oh, that's a smile, okay. The member from Ottawa tells me it's a smile. I should have noticed it.

In any event, if I had seen this legislation and my party had seen this bill the day after they formed the government, I think all the members of my party and perhaps even the Conservative Party would have thought to themselves: "This is going to be a wonderful term. These people are going to rule Ontario in an appropriate fashion."

Instead, what do we see? We see this at the last minute. We see things like Bill 40, which has a devastating effect, some sections of it, in terms of labour. We see the long-term care—and we support the principle of having the information all in one location. But this government now is going to do away with Meals on Wheels, the Victorian Order of Nurses, the Red Cross and all these good and worthy causes and in fact what they're going to do is to create more bureaucracy.

I got a note across my desk the other day about assessors. I read it and I thought to myself, "What's an assessor?" Well, after you sign your power of attorney—these are the people who sent forms out and it was a good idea to send forms out—this assessor will come in and decide whether or not you're mentally capable of looking after your affairs. Even if you've got a power of attorney, the power of attorney person will have to come and tell the guardian that, "I have a right to look after the affairs of this person."

So think of all those jobs, all of those assessors who are going to have jobs. Think of all those people who are

going to have jobs in other areas, the advocates. The bureaucracy that this government has created is going to give jobs to New Democratic Party supporters for time immemorial.

I suggest that as much as this may be a small step, it's kind of like a conversion where everything you've done before was so outrageous that even this one small step cannot possibly solve their problems in terms of being able to say to the business community and Ontarians all around this province, "We're sorry for what we did over the last four and a half years."

1630

**The Acting Speaker:** Now we have time for questions or comments to the member.

**Mr Harnick:** It's always interesting to listen to the member for Brampton South because what you hear is a 30-minute almost barrage of criticism, and never interwoven in that criticism is a suggestion as to what his party would do if it had the opportunity to govern. What we hear from the Liberal Party and from the member for Brampton South is platitudes like, "We're going to get rid of 50% of the red tape."

Can you imagine that being the goal, getting rid of 50% of the red tape? I would think a logically thinking person would say, "Why don't you get rid of all the red tape and why don't you tell us how you're going to do it?" Don't just tell us, "Fifty per cent of the red tape is going to be gone, so you better elect us." Tell us how you're going to get there. Tell us about 35 tax increases in a matter of five years and then turn around and say: "Oh, well, we want to clear the path. We want to clear the path and get rid of bureaucracy. We're only the ones who brought in the commercial concentration tax, the tire tax."

Can you imagine? I think the leaders of that party lay in bed at night thinking of taxes that they could impose. They didn't think of clearing the path. They didn't think of reducing bureaucracy. They didn't think of making it easier for business people to do business. During this whole period that they were the government, what happened? Well, there was prosperity because they took spending from \$25 billion to \$50 billion, left the province with a huge deficit and, to boot, during this so-called period of riches, the welfare rolls swelled. And now they want to come here and talk about clearing the path? Well, tell us, instead of criticizing, how you're going to get there.

**Mr Jamison:** As we're proceeding through debate on Bill 187, it's interesting to note that the opposition parties are obviously being as negative as they possibly can be towards this piece of legislation but, at the same time, giving their support. I think it is evident that their support is there for this bill, and this bill will accomplish some very good things.

The member from Brampton South indicated: "Well, here you are. You're in the fourth year of your term and you've brought forward a piece of legislation. Why didn't you do it earlier?" I simply turn to that member and say that I believe he served in the government that was here from 1985 through 1990. Computers were around, I

believe, then. The technology was available then to accomplish the streamlining of the registration process and the information flow to governments.

When I hear him speak in that tone, I consider that to be very unfair. When we talk about red tape, and red tape as it pertains to small business, we have had governments here in Ontario for as long as Ontario has been a province, and this is the first time that legitimate steps have been taken to ensure that umbrella legislation is in place, enabling legislation is in place, to allow government to streamline its own operations and streamline at the same time the way in which small business does business with government.

However large or small the individual members may think this bill is, I can tell you that it means a great deal to the business community. It was one of their largest concerns when they talked to me, and I believe this bill is in fact a very good bill indeed.

**Mr Chris Stockwell (Etobicoke West):** I was taken with the comments from the member for Brampton South. It strikes me that he speaks fondly of his time as a Liberal backbencher in government, the five years that they spent governing this province, and all the good things and the wonderful things that they feel they accomplished over that period of time. But it does seem quite odd that in 1990 they got completely wiped out. So it makes you wonder. If things were so wonderful and they're fondly recalled, how was it that you lost the 1990 election running on the record that you were in fact fiscally responsible?

**Mrs Elinor Caplan (Orion):** Peterson called the election too early.

**Mr Stockwell:** I hear the chirping from the member from Orion with respect to the election was called too early. Maybe that's true. I also think it's true that probably \$10 billion was added to the government debt during that period of time; 10,000 civil servants were hired; taxes went up 33 times and maybe one of the most fiscally irresponsible governments ever in good times was elected in this province, potentially this country.

To the member opposite from Brampton South, what I would think you would be saying today is: "We as Liberals have a plan. Here's our plan, and these are our ideas for creating small business, getting the red tape cut and so on and so forth." But every time I read a Liberal plan, it consists of—for instance, education: "We believe in good education." Or crime: "We don't believe in crime." Or victims: "Victims are people too." It's almost to the point now where I'm expecting them to say, "Kids are people too, and I brake for cats." Beyond that, their plans are hollow, shallow and without content. The member for Brampton South I know as a backbencher with a lot of spirit, and a person who can affect public policy would certainly want to make that change very quickly.

**Mr Perruzza:** I just want to add some of my responses to the record as they relate to the Liberal member who just spoke, and I can't agree with my Conservative colleagues here today more as it relates to the Liberals and the Liberal record as it relates to small business.



From 1985 to 1990, they governed, the provincial Liberals, through probably one of the best times in the history of this province. There's no question about that. And what did they do back then? Well, I'll tell you what they did back then. As a government and as a party, they were just simply interested in photo opportunities. That's what they were interested in.

They left their offices and they went on a five-year photo opportunity junket. That's what they did. I remember the Minister of Health. You couldn't miss her at any event. You went to the event; she was there. Then you thought about it. You thought to yourself: "Well, who's minding the store? Who's down there watching what's happening in government?" Well, I'll tell you who was down there watching what was happening in government. There was nobody.

So the taxes came in. You know, they just racked them right up. The cash registers were going. They couldn't add up the money that was coming in fast enough, and it was going out the door just as fast—in fact maybe even a little faster, because what ended up at the end of the day was they left us with a deficit. That's how they minded the store. They left us with a ballooned bureaucracy. They left us with antiquated programs. They left us with a government payroll that has been unprecedented. That's what they did for small business, and they taxed 32 times for it.

**The Acting Speaker:** The member's time has expired. Now the member for Brampton South has two minutes to respond.

**Mr Callahan:** I was really interested to listen to all that positive comment about my speech. I think I anticipated it would probably be along those lines.

I want to address just one point that the member for Downsview made, and I thought he was stuffing his Christmas envelope because I didn't realize he was rising to the occasion. But he talked about the Minister of Health being at all these events. Well, I got news for you. In my community and with my colleagues, we believe in representing our people and attending every event, and if you don't believe in that, then you don't belong in this Legislature, or in politics, for that matter.

Dealing with the question of taxes, and we seem to have gotten around to taxes, I guess maybe I brought that to the fore because this really involves a lot of this. It's interesting that with Bill 187, which is the bill we're debating, and the small amount it has done, on the other side of the coin they've introduced a Bill 178. It's called the Unclaimed Intangible Property Amendment Act, which means, "I get it if you don't claim it."

It's going to lead to more costly compliance for the private sector, and all the government's doing is looking for a \$50-million hidden tax grab. That's the name of the game of this government. They never come forward, as most governments have done in the past, of whatever political stripe, and say: "We need dollars. We need these dollars to run your government, to provide the services you require."

The NDP government has been sneaky, I have to say, and I really don't want to say that but I have to. They're

sneaky in terms of how they get the money: \$25 to file a non-profit corporation's information change when there is no change; \$50 to change a business corporation's status when there are no changes. Taxes for photo-radar: You don't get a chance to defend yourself in court; having to go to a court located maybe 90 kilometres away from you in order to file for a trial date. Now, if that is being fair, if that's not just a tax grab, then there's something very strange about this whole thing.

1640

**The Acting Speaker:** Any further debate on Bill 187? Seeing none, the parliamentary assistant.

**Mr Duignan:** First of all, let me thank all the members of the House who have participated in this debate. There's been some very constructive criticism and some criticism living in fantasyland, such as from the member for Brampton South. He had 30 minutes to elaborate on what the Liberal policy was in relation to small business, indeed in relation to anything related to a Liberal platform, but obviously they don't have one.

Again, the purpose of this legislation and the key requirements and provisions of this legislation are that it will allow us to share information between various government departments and governments, whether it's municipal, federal or indeed other jurisdictions. It will allow us to combine registration forms, do electronic filing; it will also allow for a single business number, for united reporting requirements and standards and for payment by debit and credit cards.

Since September of this year, our government has done a number of things. We've opened up a number of small businesses offices where people can go in and register and self-help stations. We're increasing that number. We'll have 16 of these offices by January and we'll double the number by April of next year. We'll also, by January of this year, be able to pay by debit and credit card.

We are working with the federal government to adopt a single business information number for Ontario businesses so basically the businesses in Ontario will have one single number for both federal and municipal registration. By September of 1995 we'll move to a complete electronic registration process and introduce unified reporting. These services will eliminate paper forms and allow businesses to pay retail sales tax and employer health tax with a single cheque each month.

The goal of clearing the path in this particular legislation is to provide a complete single-window, one-stop master business service that will include all business registration and reporting process from the municipal, provincial and federal levels. Our government is leading the way when it comes to eliminating business registration and cutting red tape.

The other government, the third party, had 42 years to do it; they did nothing. The Liberal government had five years to do it; they did nothing. We are doing it because we believe the best way that small business can get ahead and create jobs is by eliminating red tape.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? I declare the motion carried.

Shall the bill be ordered for third reading? The bill is accordingly referred for third reading.

**Mr Perruzza:** On a point of order, Madam Speaker: It is my understanding that according to the rules, especially when a vote is being taken, members can't vote unless they're in their own seats. I note several members are not in their own seats. So what are you going to do?

**The Acting Speaker:** I would ask members that they do be in their own seats.

*House in committee of the whole.*

STATUTE LAW AMENDMENT ACT  
(GOVERNMENT MANAGEMENT AND SERVICES), 1994

LOI DE 1994 MODIFIANT DES LOIS  
EN CE QUI A TRAIT AUX PRATIQUES DE GESTION  
ET AUX SERVICES DU GOUVERNEMENT

Consideration of Bill 175, An Act to amend the Statutes of Ontario with respect to the provision of services to the public, the administration of government programs and the management of government resources / Projet de loi 175, Loi modifiant les Lois de l'Ontario en ce qui a trait à la fourniture de services au public, à l'administration des programmes gouvernementaux et à la gestion des ressources gouvernementales.

**Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues):** If I can move, Madam Chair, that staff be permitted on the floor to assist the parliamentary assistant, the member for London South.

**The First Deputy Chair (Ms Margaret H. Harrington):** Is it agreed that staff be allowed on to the floor? Agreed.

Are there any questions or comments or amendments to sections of this bill?

**Mr David Winninger (London South):** Yes, Madam Chairman, the government has a number of amendments to the bill. Perhaps I'll run through them to ensure they're all before the clerk: subsection 20(2), subsection 20(4), subsection 30(2), subsection 30(4), section 40, section 52, section 65, subsection 66(25), subsection 72(1), subsection 72(12), subsection 112(15), subsection 112(16), section 113 and, finally, subsection 137(2).

**The First Deputy Chair:** Are there any questions or comments with regard to sections 1 through 19?

**Mr Chris Stockwell (Etobicoke West):** On a point of order, Madam Chair: In the committee of the whole, do you still need a quorum?

**The First Deputy Chair:** Yes, we do.

**Mr Stockwell:** I think we should call one.

**The First Deputy Chair:** Would the clerk please determine if a quorum is now present.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Chair.

*The First Deputy Chair ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Chair.

**The First Deputy Chair:** We will resume dealing with sections 1 through 19. Are there any questions or comments on these sections?

Seeing none, shall sections 1 through 19 carry? Carried.

1650

**Mr Winninger:** I move that subsection 20(2) of the bill be struck out.

**The First Deputy Chair:** Are there any questions or comments on this amendment? Seeing none, shall this amendment carry? Carried.

**Mr Winninger:** I move that section 5.1 of the Farm Products Marketing Act, as set out in subsection 20(4) of the bill, be amended by adding at the end "and constituting local boards to administer such plans."

**The First Deputy Chair:** Are there any questions or comments to this amendment? Seeing none, shall this amendment carry? Carried.

Shall section 20, as amended, carry? Carried.

We have no amendments in sections 21 through 29. Is it the pleasure of the committee that these sections carry? Carried.

**Mr Winninger:** I move that subsection 30(2) of the bill be struck out.

**The First Deputy Chair:** Are there questions or comments to this amendment? Seeing none, shall the amendment to subsection 30(2) carry? Carried.

**Mr Winninger:** I move that section 6.1 of the Milk Act, as set out in subsection 30(4) of the bill, be amended by adding at the end "and constituting marketing boards to administer such plans."

**The First Deputy Chair:** Any questions or comments? Shall this amendment carry? All those in favour? All those opposed? In my opinion, the ayes have it. I declare the amendment carried.

Shall section 30, as amended, carry? Carried.

There are no amendments to sections 31 through 39. Is it the pleasure of the committee that these sections carry? Carried.

**Mr Winninger:** I move that subsection 40(3.1) of the Assessment Act, as set out in section 40 of the bill, be amended by striking out "until the complaint is finally determined and disposed of" in the fourth, fifth and sixth lines and substituting "until the complaint and any appeals or proceedings concerning the complaint or assessment complained of are finally determined and disposed of."

**The First Deputy Chair:** Questions or comments? Is it the pleasure of the committee that this amendment carry? Carried.

**Mr Winninger:** I move that subsection 49(3.3) of the Assessment Act, as set out in section 40 of the bill, be amended by inserting "section 81 of the District Municipality of Muskoka Act" after "Regional Municipalities Act" in the sixth line.

**The First Deputy Chair:** Is it the pleasure of the committee that this amendment carry? Carried.

Is it the pleasure of the committee that section 40, as amended, carry? Carried.

We will deal with sections 41 through 51, inclusive. There are no amendments. Shall they carry? Carried.



I believe there is an amendment to section 52.

**Mr Winninger:** Yes, there is, and I believe that there is also unanimous consent in the House to deal with this amendment.

I move that section 52 of the bill be amended by adding the following subsection:

"(2.1) Subsection 18.1.1(2) of the act, as enacted by the Statutes of Ontario, 1993, chapter 31, section 1, is repealed and the following substituted:

"Subsections 18.1(1), (3) and (4) inapplicable

"(2) Subsections 18.1(1), (3) and (4) do not apply in a municipality in which this section applies.

"Subsections 17.1(5), (6) and (7) applicable

"(2.1) Subsections 17.1(5), (6) and (7) apply to a proceeding begun under this section."

**The First Deputy Chair:** This particular amendment is out of order, but Mr Winninger has indicated that there is consent of the House to deal with this amendment. Is it the consent of the House to deal with it? Agreed.

Is it the pleasure of the committee that this amendment carry? Carried.

Shall section 52, as amended, carry? Carried.

Shall sections 53 through 64 carry? Carried.

**Mr Winninger:** I move that section 65 of the bill be struck out.

**The First Deputy Chair:** This one is indeed out of order as well. The normal procedure is to vote against it. All those in favour of this amendment? All those in favour of section 65, please indicate. All those opposed, please indicate. Section 65 of the bill is lost.

**Mr Winninger:** I move that subsection 66(25) of the bill be struck out.

**The First Deputy Chair:** Any questions or comments? Is it the pleasure of the committee that this motion carry? Carried.

Shall section 66 of the bill, as amended, carry? Carried.

Sections 67 through 71: There are no amendments. Shall these sections carry? Carried.

**Mr Winninger:** I move that subsection 72(1) of the bill be struck out and the following substituted:

"(1) The definition of 'resident Canadian' in subsection 1(1) of the Business Corporations Act is amended by striking out clause (c) and substituting the following:

"(c) a permanent resident within the meaning of the Immigration Act (Canada) and ordinarily resident in Canada."

**The First Deputy Chair:** Questions or comments on this amendment? Seeing none, is it the pleasure of the committee that this amendment carry? Carried.

**Mr Winninger:** I move that subsection 115(5) of the Business Corporations Act, as set out in subsection 72(12) of the bill, be amended by striking out "and" at the end of clause (c), by adding "or" at the end of clause (b) and by adding the following clause:

"(c) a trustee in bankruptcy, receiver, receiver-manager or secured creditor who participates in the management

of the corporation or exercises control over its property solely for the purposes of enforcement of a security agreement or administration of a bankrupt's estate, in the case of a trustee in bankruptcy."

1700

**The First Deputy Chair:** Questions or comments? Is it the pleasure of the committee that this amendment carry? Carried.

Shall section 72, as amended, carry? Carried.

We will deal with sections 73 through 111. Shall those sections carry? Carried.

**Mr Winninger:** I move that subsection 157(3) of the Municipality of Metropolitan Toronto Act, as set out in subsection 112(15) of the bill, be amended by striking out "1995" in the first line and substituting "1996."

**The First Deputy Chair:** Questions or comments? Shall this amendment carry? Carried.

**Mr Winninger:** I move that subsection 159(2) of the Municipality of Metropolitan Toronto Act, as set out in subsection 112(16) of the bill, be amended by striking out "1995" in the second line and substituting "1996."

**The First Deputy Chair:** Questions or comments? Shall this amendment carry? Carried.

Shall section 112, as amended, carry? Carried.

**Mr Winninger:** I move that section 113 of the bill be struck out and the following substituted:

"113(1) Subject to subsections (2) and (3), this part comes into force on the day this act receives royal assent.

"(2) Section 110 comes into force on January 1, 1995.

"(3) The following provisions come into force on January 1, 1996:

"1. Subsections 109(1), (2), (3), (4), (5), (8) and (9).

"2. Section 112."

**The First Deputy Chair:** Questions or comments? Shall the amendment carry? Carried.

Shall section 113, as amended, carry? Carried.

Sections 114 through 136 have no amendments. Shall they carry? Carried.

**Mr Winninger:** I move that subsection 10(2.1) of the Coroners Act, as set out in subsection 137(2) of the bill, be amended by inserting "or the Charitable Institutions Act" before "applies" in the third line.

**The First Deputy Chair:** Questions or comments? Shall this amendment carry? Carried.

Shall section 137, as amended, carry? Carried.

Shall the remaining sections, sections 138 through 147, carry? Carried.

Shall the title carry? Carried.

Shall I report the bill, as amended, to the House? Carried.

Shall the committee rise and report?

**Mr Winninger:** I so move.

**The First Deputy Chair:** Mr Winninger has moved the committee rise and report. Is it agreed? Agreed.

**The Acting Speaker (Ms Margaret H. Harrington):** The committee of the whole House begs to report one

bill, with amendment, and asks for leave to sit again. Shall the report be received and adopted? Agreed.

SECURITIES AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI  
SUR LES VALEURS MOBILIÈRES

Mr Sutherland, on behalf of Mr Laughren, moved second reading of the following bill:

Bill 190, An Act to amend the Securities Act / Projet de loi 190, Loi modifiant la Loi sur les valeurs mobilières.

**Mr Kimble Sutherland (Oxford):** This bill will provide the Ontario Securities Commission with the proper authority to protect investors and maintain confidence and integrity in Ontario's capital markets.

Traditionally, the Ontario Securities Commission, or OSC, has used policy statements to indicate the conduct expected of market participants and acceptable standards of market activity.

However, recent court decisions in Ontario and BC raise concerns about the use of policy statements by securities regulators. The Ainsley case in Ontario and the Pezim case in BC question the validity of some of the abilities of the commissions to make these statements and these decisions of the courts were upheld by the Supreme Court, and they also caution that securities commission policy statements do not have the force of law.

To address these concerns, on October 7 last year the honourable Minister of Finance, Floyd Laughren, appointed the Ontario Task Force on Securities Regulation. The task force had joint OSC-Ministry of Finance membership and was chaired by University of Toronto law professor Ron Daniels, to whom thanks are extended for a job well done.

The task force conducted a wide canvassing of input. In November 1993 a request for public comments was published in newspapers in the OSC bulletin. There were numerous consultations and 33 written submissions. An interim report for comment was published February 25, 1994, and this resulted in a further 27 written submissions. Subsequent revisions emphasized public involvement and setting clear parameters for the powers to be conferred on the OSC. The task force reported unanimously on June 30, 1994, and published its report complete with draft legislation on July 6, 1994. Since then there has been widespread support for action to implement the task force recommendations. I will note that articles in the Globe and Mail and an editorial in the Financial Post support this piece of legislation as well.

Besides the support here, other provinces facing a similar challenge in regulating their securities industries have announced they will introduce legislation similar to this, BC being a prime example. There are early indications of support in other provinces as well.

I'd like now to review the key elements of the bill. This bill will give the OSC the powers to make rules that will have the force of regulations. Other examples of agencies with these rule-making powers are the Canadian Radio and Television Commission, CRTC, and the US Securities and Exchange Commission.

This bill will allow the OSC to make rules in a large

number of specific areas. The bill includes a mechanism for simultaneous repeal of conflicting provisions in existing regulations after appropriate public notice and comment and the minister's approval.

Rules are subject to a 90-day public notice and comment period. Ninety days is a minimum for notice and comment. If there are sufficient changes to warrant it, the proposed rule will be recirculated through the process.

The OSC will publish a fulsome supporting statement giving the reasons and background to the proposed rule. The bill requires that summaries of the public comments on the proposed rule and the commission's reply to these concerns be prepared. As well, government ministries and agencies may participate in the public notice and comment period.

Following the public notice and comment period, there will be a 60-day period for the Minister of Finance to review the proposed rule. The minister's responsibility is to approve the rule, disapprove it, or send it back with reasons. If there is no ministerial action within 60 days, the rule is approved automatically. A safeguard that balances the 60-day default approval provides that cabinet can make a regulation that prevails over a rule. The Minister of Finance also has the power to initiate the OSC to study a proposed rule.

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The bill also has provisions for emergencies. If there is risk of material harm to investors or the integrity of the capital market, the OSC can waive or abridge notice if it receives approval from the Minister of Finance. These interim rules are limited to nine months. During this time, the regular notice and comment and approval process will be able to take place to make the interim rule an appropriate permanent rule.

Putting in place interregulatory agreements and memorandums of understanding will follow the same process as for rules, including a 60-day period for review by the Minister of Finance.

The second main element of the bill deals with policy statements. Under this bill, policy statements are guidelines. This means they are general statements of principle or practice and not mandatory or comprehensive codes of conduct. Proposed policy statements would be subject to a 60-day public notice and comment period.

Again, 60 days is the minimum period required for public notice and comment. The requirement for a notice and comment period for policy statements was not in the task force interim report. Adding this provision reflects responses received to the recommendations of the interim report that the process be made more transparent.

There will be no government review of policy statements since they will only be guidelines. However, the government may participate in public notice and comment.

The third main element of the legislation is to further enhance public participation in developing policy on securities. To achieve this, the bill will require the OSC to prepare an annual statement of priority. This will be a published agenda for the forthcoming year. It will be developed by the OSC and presented to the Minister of



Finance who will table it in the Legislature.

The bill also requires that the OSC issue an annual regulatory status report which will be a published overview of priorities already in process. It will be presented to the Minister of Finance and the minister will table it in the Legislature.

There will also be a review of legislative needs every five years.

A report on the Securities Act will be tabled in the Legislature by the Minister of Finance and will be discussed by a legislative committee. The Quebec Securities Act was a model for this provision and it is well regarded there.

As well, an ad hoc working group on financial regulation will coordinate formulating and delivering policy concerning the capital markets. The working group will be chaired by the deputy minister or someone the deputy designates. Membership will include heads of the commissions and agencies.

The bill also provides for a transition period. Blanket rulings and orders and related policy statements are given the status of rules for two years. There will be a two-year review by the OSC of its existing policy statements. Some policy statements will be redrafted as rules; others will remain as policy statements but will be redrafted following the definition of a policy statement in this legislation. All rules and policy statements developed during this review will be subject to the public notice and comment period required by the legislation.

Let me say that with this piece of legislation, as I've tried to outline, there has been extensive consultation. We are responding to an issue whereby the courts have called into question the ability of the securities commission to carry out its function in a way it has in the past. We are trying to respond to that. We've done extensive consultation through the Daniels task force. There's been a lot of opportunity for comment to be provided, a lot of input.

I believe for the most part this legislation fairly accurately reflects what the Daniels task force recommends. Not every specific item of the task force is in this legislation, but all the significant main points are here. My sense is that this piece of legislation has been very well received by everyone involved in the activities of the commission and those who have to deal with that.

I think in the long run we are ensuring that there will continue to be public trust and confidence in the regulatory authority for securities. I know members of the opposition have, as a general rule, indicated that they are supportive of the direction this legislation goes in and we appreciate that, but I know too they'll want to take some time to put some of their specific comments on the record.

I just want to say that I think we've had a very good process with this piece of legislation in terms of the consultations and then leading into the actual legislation, and the type of setup put in here in terms of allowing the securities commission to be fairly independent but also ensuring there is accountability for its actions back here through the legislative process, through the Minister of Finance.

With those opening comments, I think I'll look forward to hearing what the other participants have to say in this debate.

**Mr Bruce Crozier (Essex South):** I welcome the opportunity to contribute to the debate on Bill 190. The only unfortunate thing is that rather than dealing with it at this late date in the session, it was my wish that we would have been dealing with it back in the latter part of September. But it is nice to be back here, and I'm sure we have lots of work to do between now and the end of the session. It's not my plan to use up all the valuable time of the House, but I would like to make a few comments.

The Ontario Task Force on Securities Regulation, as was mentioned, has released its final report, and the report has a number of recommendations, not the least of which is the intent to broaden the Ontario Securities Commission, or the OSC as it's known, and those powers to make binding rules that relate to the securities market.

The joint Ministry of Finance and OSC task force was, again as was mentioned, chaired by the University of Toronto law professor Ron Daniels and began its work in October 1993. The mandate of this task force was to review the OSC's policy-making powers to ensure that it has the legislative powers it needs to protect the investors and the integrity of Ontario's capital markets.

I think this goes to the crux of the problem, or at least the mandate, and that is, the intent above all, and it's what we agree with, is to always keep in mind that we want to protect the Ontario investor. The integrity of Ontario's capital markets is second to none, and of course we want to support any legislation that will continue that.

Professor Daniels said, on the release of the final report in July, that he felt the task force had balanced the needs for regulatory flexibility and accountability, "We have tried to present an innovative approach to developing securities legislation which will enhance public participation in the process," and the degree that the public will have the opportunity of that 90-day period to do so is another important part of the bill.

Of course the OSC, over its history, has regulated the sale and trading of stocks and bonds, options and derivative financial instruments through the Securities Act, the Deposits Regulation Act and certain provisions of the Ontario Business Corporations Act as well as the Commodity Futures Act. The commission's work is divided into two areas, that being the statutory tribunal and the administrative function.

The statutory tribunal, it may be interesting to know, comprises 11 members appointed by the government: a full-time chair, two full-time vice-chairs and eight part-time commissioners. This body makes policy, hears cases and appeals decisions made by the executive director. The office of the secretary, the other part of the commission, provides support to the commissioners, publishes weekly bulletins, and performs other administrative functions.

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The key recommendations, as we see them: The task force is recommending to the government that they confer

a rule-making power on the OSC which provides flexibility to respond quickly to changing market conditions, to establish a prescribed public comment period and a cabinet review process for the proposed rules and to introduce a new section to the Securities Act outlining its purposes and the principles governing the OSC's exercise of power.

We think it's important too that it will confirm in the act the OSC's power to make policy statements, provided such policy statements are not mandatory or prohibitory in character. They'll also establish measures to deal with existing blanket rulings and orders, they will publish an annual statement of priorities from the chair of the Ontario Securities Commission and they will review the OSC's legislative needs every five years.

A very important part of this legislation, and in fact I think it should be an important part of all legislation, is that it is reviewed on a regular basis, often referred to as sunset clauses, when the legislation automatically comes up for review so that it can then be seen whether it's accomplishing its original intention. If not, why, the legislation can be revised. In some cases it might be preferable to withdraw legislation or to remove it from the books.

The OSC, as we see it, is one of the most important securities regulators in Canada, if not the most important. I would hope this legislation may be such that other jurisdictions would adopt it and use it as a model. In fact, there has been some suggestion that we have a Canadian securities commission. Again, that may be something that would be looked at in the future.

It has been proposed by the federal people that a national securities commission is one option for reducing the amount of regulation in the securities industry. However, any such body must be as effective and cost-effective as the Ontario Securities Commission. I only mention that so that members would appreciate the fact that this is of concern to the federal government as well as provincial governments.

Of course, two recent court decisions, one in May involving penny stock dealers and one in August involving misrepresentation by a Toronto investment dealer, have struck down most of the commission's rule-making powers. Currently, the commission cannot even ensure that stock sellers deal fairly, honestly and in good faith with their clients. Again, I emphasize that what we want and what I think we should want in the province of Ontario is that sellers always deal fairly, honestly and in good faith.

During the first six months of 1994, new government and corporate securities, you might be interested to know, were issued across Canada in a total amount of \$48 billion, 11% higher than the same period in 1993. Most of the new-issue activity centres in Ontario and is regulated by the OSC.

The draft legislation is based largely on a report on the OSC's powers and was, as I mentioned, completed by Mr Daniels and his task force. The government argues that the OSC legislation is necessary because the commission currently cannot make its own rules, policy statements and other regulatory instruments. The recent court

decisions ruled that since the commission did not have such power already in legislation, its regulations are no longer valid. The government's draft bill would give the OSC the ability to make its own rules in 46 different areas dealing with the securities industry.

There are some groups, namely, what is commonly known as the penny stock dealers, or those that deal in stocks that are less than \$5, that have expressed concerns that such powers could be abused by the OSC. These security dealers were the target of a recent commission policy which would substantially increase the regulations they face. The penny dealers argue that recent OSC regulations have closed the market for small-dollar-value security offers, usually the type undertaken by fledgling resource concerns.

I have spoken to several people in the industry, particularly in the area of prospectors and developers. Their concern is that they too don't want to see any regulation that would limit investment in this area. As well, they have mentioned that it's not only the capital they are seeking in this area that may be restricted by whatever regulations may be in place, but their concern as well is that there are many other regulations, not the least of which are environmental regulations, land claims in the north, that are having some effect on the prospectors and developers. I'm sure these are issues that will be dealt with at a later time, but I just wanted to make you aware of the fact that there is concern that goes beyond the capital that's available.

I'm told, for example, that in the past year over \$1 billion in capital was raised for investment in the north, particularly in the mining area, and that only 20% of it remained in Canada. I'm told the reason for this is that there are other jurisdictions, South America, for example, that have a less regulatory regime than we have here in Ontario, and consequently 80% of this \$1 billion that was raised over the past year has left the country.

So I think we have to keep that in mind not only on the capital investment side, but we also have to look at regulations that affect the mining industry as a whole, and as I said, at some later date we may look at some of that.

I do, though, applaud the government, and I don't do that often, but then I haven't been here so long as to know that you shouldn't do that. I do commend the government for its effort to modernize what is a very important body, and that's the Ontario Securities Commission, an organization that is vital to the efficient functioning of our capital markets.

While we are quite pleased with the legislation that's being proposed and that the government did pursue a consultation process with the Daniels task force, we want to ensure that there will be some time allocated for public input, and that assurance was given to us today, that there would be one day where this would be put to the finance committee. That will give the securities dealers an opportunity to come in and express their own concerns with regard to the so-called penny stocks.

The OSC is an agency that operates with a minimum of ministerial direction. We would like to ensure that any of the changes to its legislative framework don't



jeopardize the accountability to the Minister of Finance and ultimately to the people of Ontario.

1730

I'm pleased that we will get some time to discuss the act, and I think this is in keeping with our democratic process. It's necessary, of course, to have opposing viewpoints expressed, because I think that's the only way that any subject that's put on the table gets its appropriate review, and that is to give everybody an opportunity to speak to it. We in the opposition, again, are pleased that the opportunity will be given.

Just to inform the House, it's been brought to my attention that there are some concerns with regard to how the OSC deals with these groups, specifically those companies that deal with smaller, more highly speculative issues. I've met with members of these interest groups that are on both sides of the legislation, but I'm convinced that there does exist within the present regulatory framework a way in which all parties will come to work in harmony eventually with the OSC.

I would encourage the minister to offer his assistance in this regard, since in the end the more efficient and harmonious that capital markets are, the better off the province is as a whole, both in relation to competing jurisdictions that I've mentioned may in fact be out of the country and for the people and the businesses within the province.

I also want to impress upon the minister that the rules that govern this industry should not become so cumbersome that we begin to discourage the capital acquisition by smaller firms that, while risky in the traditional sense, may show great growth potential, because I think it's not only the smaller development areas of the province, northern development, but there are also many small firms, high-tech firms, that need the kind of capital that the major investment houses aren't in a position to underwrite. I'm thinking here of the knowledge-based, high-tech industries that I think are going to dominate the new economy that we're going to have in Ontario, and they often have trouble getting credit from the banks.

I heard a report recently, within the past few days, that somewhere in the neighbourhood of 80%-plus of the small businesses were satisfied with the funding that they were getting from their banks and with the cooperation they were getting from their banks. I think that may be to a great extent those businesses that already exist and may have some kind of a record, but I still have a concern that when it comes to speculative investment this is not totally satisfied and in fact may be less than satisfied by the credit they get from the major banks. They also might find that their capital requests are simply too small, as I mentioned, for the major investment houses to handle profitably.

I've talked to the major investment houses, and they agree that because of their particular structure, because of their overhead, they're not in a position to write these junior investments in the neighbourhood of \$1 million or so. So we have to keep in mind that this legislation not being too burdensome allows for these junior investments to flourish.

To help alleviate these concerns, I would ask the minister to consider reviewing the rules and regulations which may discourage smaller capital requests, and if there are some of these barriers—and we may hear them later this week—that we not put any barriers in place and we streamline the process so there will exist adequate access to capital by all those seeking it in the market, regardless of size.

I would also like to say to the minister that it's our hope that when the OSC is called upon and there's an increase in the regulatory load, and I'm thinking of the current discussions that are going on with regard to mutual funds, that the OSC will have sufficient resources to carry out its mandate in this rather complex field. It is important to bear in mind as we discuss these regulatory changes that they have those resources at hand. At the present time, it's my understanding that the OSC contributes quite handsomely to the government's coffers in that its fees and the income to the OSC are considerably higher than the costs of operating the OSC. I hope there's some flexibility in there that allows the OSC to function with the appropriate staff that it would need.

Another point I'd like to indicate, as I mentioned before, and in conclusion, is that we wholeheartedly support the five-year review, because this then gives us an opportunity: If some of the things that we may not see at the present time pop up, as they sometimes do, we'll be able to again streamline the regulations so that these markets can efficiently operate.

Finally, I understand that speedy passage of this legislation is necessary for our capital markets to continue to function efficiently. However, I will reiterate that we take seriously the time we're allowing for the concerns to be brought forward, that we listen with an open mind when we have this day of hearings, so that everyone will feel when they go away from it at the end of the day that they have been heard. I think it's our duty as legislators to ensure that the powers that are granted to the OSC—and these are significantly far-reaching powers, perhaps of a wider scope than any other board or commission has at the present time—are granted with proper scrutiny and that such organizations which are more independent of government remain independent but accountable.

That will conclude my remarks. I trust that at the end of the day, as I said, this legislation will take into consideration the needs of all the capital markets in the province of Ontario and that then we're able to get on to some of the equally important business of this place.

**Mr David Johnson (Don Mills):** I'm delighted to share in this debate. I share some of the comments of the member for Essex South. The member indicated that this is a most important piece of legislation. This may be one of the driest debates that we have in this House.

**Mr Michael A. Brown (Algoma-Manitoulin):** Say it's not so.

**Mr David Johnson:** It's not so. Perhaps because of the two members involved, the three members involved, perhaps—but I'm certainly not getting agreement from the government in that regard.

**Mr George Mammoliti (Yorkview):** How can you

insult a speech? How can you do that?

**Mr David Johnson:** I thank the member for his contribution. I'm glad to see you're awake, the member for Downsview, I think, isn't it?

It is perhaps one of the most important topics that we will be dealing with, because it does affect the economic well-being of the province of Ontario. The capital market system is one that is of great importance to the people who live here in terms of job creation and economic well-being.

I believe that we're here today having this debate because a few years ago regulations were imposed by the Ontario Securities Commission in response to concerns with regard to the so-called penny dealers. Accusations had been made, allegations had been made by clients that perhaps they were not getting full information with regard to the purchases that they were making, that there were unfair sales tactics being used. The words "boiler room," I believe, have been used to describe some of the sales tactics of some of the firms. There have been over the years a number of complaints apparently registered with regard to the penny dealers.

Consequently, various policies have been implemented by the Ontario Securities Commission. One policy, for example, policy 5.2, has limited commissions to about 35% for the penny stocks. It had been, apparently, the practice that the commissions on the sales would run 50%, perhaps 40% to 50% or maybe even a bit higher, as high as 70% in some cases, and there were complaints about that. Policy 5.2 indicated that the maximum commission could be about 35%.

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Another policy that was introduced called policy 1.10 is a policy that required disclosure. In other words, if an individual or a firm were purchasing a stock, in most cases a stock dealing with the penny stocks, the person would have the right to information with regard to the sales so that they would know the product that they were purchasing. This would seem to be a desirable course of events when one is purchasing a stock, to know the general nature and the information pertaining to that particular stock.

However, I know that some involved in the penny stock industry were concerned that the disclosure procedures on them were more severe than the procedures that might have been applied to the rest of the industry, so there was a court challenge in March 1993, and a ruling came down last year. This ruling pertained to a number of penny stocks, but I believe a firm called Ainsley, in alphabetical order, was the first one on the list so it's called the Ainsley decision. The Ainsley decision indicated that the OSC did not have the power to make the kind of regulation that it did. I think this sent a shock wave through the industry and started the wheels turning.

Consequently, the government appointed, as we've heard earlier here today, a task force and that task force was headed up by Mr Daniels, from the University of Toronto. That task force consulted with many in the investment industry and came forward with a report that contained a number of recommendations that, in the view

of the task force, would restore confidence, would ensure integrity within the capital market system.

That integrity and that confidence is extremely important, and I don't think there can be any dispute on that issue. My sense in talking to all parties associated with Bill 190 is that there's agreement on that one issue: that there needs to be confidence in our market system and we need to ensure that the integrity is there.

The individual purchaser of a stock, common stock or bond or a mutual fund has to be assured in their own mind that they are getting a legitimate product, that they have all the information, that there is no manipulation behind the scenes and that they have full disclosure of information pertaining to that purchase. Without that confidence, the capital inevitably will flow away from our market system in the province of Ontario. It will flow to where it does have the confidence and this would have disastrous consequences.

**Mr Brown:** On a point of order, Mr Speaker: While this may be a dry debate, I think it's an important and significant debate and I think a quorum should be present.

**The Speaker (Hon David Warner):** Could the table determine if a quorum is present.

**Acting Clerk Assistant (Ms Donna Bryce):** Mr Speaker, a quorum is not present.

*The Speaker ordered the bells rung.*

**Acting Clerk Assistant:** Speaker, a quorum is now present.

**The Speaker:** The honourable member for Don Mills may resume his speech.

**Mr David Johnson:** I'm delighted that the members consider this debate not to be as dry as I thought it might be. It's most heartening. I might just say—

**Mr Jim Wiseman (Durham West):** Well, you're doing your best.

**Mr David Johnson:** I'm doing my best. Thank you, member from Durham. I might say that the last court case that was involved with this general issue and again dictated that action be taken by the government was what they call the Haldenby case, which struck down the regulation that required investment advisers to deal fairly, honestly and in good faith with customers and clients: fairly, honestly and in good faith with customers and clients.

I would think the average person in Ontario would think, when one buys mutual funds or bonds or stocks, that the advisers one is dealing with would have to deal or should be required to deal, as a matter of course, fairly, honestly and in good faith. So perhaps it further highlights the need to restore the confidence and the regulation ability of the OSC, the ability to make rules and policies to govern the industry.

I might say, though, that it's not only the Ontario Securities Commission that has the ability to regulate, at least in an advisory capacity, because we have in the province of Ontario what is called a self-regulating organization, the Investment Dealers Association.

The Investment Dealers Association is composed of all



of the dealers in the province of Ontario who give investment advice, and they have voluntarily formed their own association, called the Investment Dealers Association. However, this association does not include about seven firms, I believe it is today, that deal in the penny stocks. Those firms are not part of the Investment Dealers Association.

But the Investment Dealers Association acts as a self-regulating organization and imposes a discipline on the market, a discipline on the market that we should be very thankful for. They apparently, for example, are very involved in the licensing of the brokers and in terms of the education of the brokers. They are involved with the Canadian securities course and ensuring that the brokers are aware of the requirements.

The dealers, I might say, bring with them a practical experience from the market. Now, if the Ontario Securities Commission was to do the duties that it does today plus take on the day-to-day duties, the day-to-day regulation that what is called the SRO—self-regulating organization—does, then the duties and responsibilities of the Ontario Securities Commission would be extended even further and it would be more expensive. So I think we should be thankful to the Investment Dealers Association for taking on that obligation in a voluntary sense.

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I might also add that through the members of the SRO, there is what's called the Canadian investor protection fund, which offers a protection to the investors of \$500,000, which means that if there is a default in a particular brokerage firm, the investor is protected to the tune of \$500,000.

On the other side of the coin—and the member for Essex South has mentioned that securities dealers are also interested in this particular issue—the securities dealers represent the penny dealers. The penny dealers have concerns with regard to Bill 190. Some of the concerns I've alluded to already.

Primarily, policy 1.10 is of tantamount concern to the securities dealers. Policy 1.10, again, requires a disclosure of the securities dealers in terms of any transactions they do. Policy 1.10 applies to the securities dealers, it applies to the penny dealers but it does not apply to the other investment dealers in the rest of the industry. The securities dealers consider this to be unfair, that the playing field is not level.

The other side of that coin is that the investment dealers would say that, through the SRO, indeed they have a discipline in a regulatory structure that is not imposed on the securities dealers. When one considers the full amount of checks and balances that are in place, indeed the checks through the Ontario Securities Commission, through the SRO on the investment dealers, are even more severe than the current policies that are in place that apply to the securities dealers. So there are certainly two points of view on that matter. I might also add that the protection the securities dealers' fund has is limited to \$5,000 per client, which is a much lower level of protection through the securities dealers than it is through the SRO members.

I think the main point is that there should be an opportunity to hear both sides of this debate. I am delighted that the government has allocated some time, only a day, but at least a day is some time and perhaps sufficient. I know that the securities dealers have already applied to make their views known.

I've requested that the Investment Dealers Association, the OSC and the Toronto Stock Exchange be added to the list so that their views might be known to the committee, but I think we know their views up front already. Their views are that Bill 190 should go through, that Bill 190 restores a regulatory power to the Ontario Securities Commission, a power that because of court challenges it has lost, a power that is required to maintain the confidence in the capital market system.

It also imposes, if "imposes" is the right word, on the Ontario Securities Commission a requirement that the commission come forward with an annual statement of priorities. I think this could be a healthy state of affairs. That annual statement of priorities would be presented to the minister and would be published in an OSC bulletin, so it would be open to public scrutiny.

I believe, by the way, that the purpose of the bill in that regard is to make this whole process transparent, and by "transparent" it means that there's nothing to hide, that the general public, anybody involved or interested in making any sort of transaction, investment, would have full knowledge of the whole process.

A further requirement would be that there be a review every five years of the legislation and the regulations around the Ontario Securities Commission. Again, that is a very healthy state of affairs, because as we have heard earlier today, I think from the government and from the opposition party, the Ontario Securities Commission needs to be nimble.

The state of affairs in the capital market system is constantly changing. The power that has been given through this bill will assist the Ontario Securities Commission. It will be able to make rules, it will be able to make policy statements: rules that are binding, policy statements that give guidance but are not binding. It will do so in a process of public scrutiny. It will do so in a process where the general public will have 90 days to comment on the rule and the policy, and the minister will have 60 days to deal with the policy.

Nevertheless, with the importance to our market system, the impact on our economy, the number of jobs that are at stake, not only in the industry itself but through investments that people make, then I think a five-year review is a very healthy state of affairs.

I see the clock is running out, but I just want to make one further comment. The member for Essex South mentioned the concern with regard to investment through penny stocks. Quite traditionally, we think of mining investments in northern Ontario. I mentioned earlier that policy 5.2 limited the commissions to 35%. This transpired in about 1990.

In the five years leading up to 1990, the average investment by small investors—and I'm talking about \$2 million or under, most of them about \$1 million or

perhaps a little bit less—through those years was just under \$10 million a year in investment, but the commissions equalled the investments, so that on an annual basis about \$16 million or so was raised on average each year. Since 1990, since policy 5.2 went into effect, for those junior investments under \$2 million virtually nothing has been raised. There's been virtually no money that's gone through that vehicle into exploration in the province of Ontario.

That doesn't mean to throw out Bill 190 or throw out the whole process, which is certainly a very valuable and necessary and required process, but it gives rise to analysing what can be done to ensure that we have the proper investment in mining and other industries in the province of Ontario because that tap apparently has been turned off.

Those commissions at 50% probably seemed obscene, but somehow through that process at least some money was being raised and now no money is being raised. There needs to be some other avenue and the government should give some attention to that fact that those moneys have been lost and investment opportunities are certainly not taking place.

With those comments, I will say that I intend to cooperate fully through this process. I look forward to the committee hearings next Thursday, a week tomorrow. I believe this is a bill that will have all-party support at the end of the day to put this through and ensure that there's integrity and security in our market system.

**The Speaker:** Any questions and/or comments?

**Mrs Elinor Caplan (Oriole):** I had hoped I'd have an opportunity to participate in this second reading debate. What I would like to briefly put on the record is that I think it is in the public interest to have an Ontario Securities Commission that instils confidence in those who wish to make investments.

I believe that the result of the court rulings which have effectively neutered the commission requires legislation. A constituent of mine, Mr Bruner, called and said he had concerns about this. I'm pleased to be able to tell him that the committee will be meeting and hearing representations next Thursday and I hope there will be an opportunity for him to be on the speakers' list to present his views.

I also told him that I believe the Ontario Securities Commission is one of the most important securities commissions in Canada. Many of their rulings have become policy statements and national standards. Although we have no national securities commission, I believe that, until such time as we do, the Ontario Securities Commission must be able to make the kinds of

rulings to give investors confidence in the way the stocks are handled in this province.

I would like to point out one thing to the government, and that is that the rulings were last May and last August and this is now the end of November and the end of the session, and I think it's unfortunate that this kind of bill will not have a fuller debate.

But I agree with those who say it is important to have a regulatory scheme in place and that the Ontario Securities Commission must have the power. I would point out to those who have concerns that under the proposal, the securities commission can make its own rules but the minister must approve all of those rules, and so there is a bit of a check and balance against rules which might be seen to be unfair or unreasonable.

I look forward to debate at committee and seeing this bill through the legislative process.

**The Speaker:** The honourable member for Don Mills has up to two minutes for his reply.

**Mr David Johnson:** I apologize to the member for Oriole. I thought I would be finished a bit earlier but the previous speaker went on a bit further and I went on a bit further and she was rather limited in her time. I think she perhaps just did the two minutes to get a little bit on the record, and she's had that opportunity. I can only say that her comments are in agreement with mine, and this may be one of those cases when we have, as I said before, all-party agreement.

*Interjection.*

**Mr David Johnson:** The Minister of Agriculture, Food and Rural Affairs is saying "Sit down" at this point, and perhaps I'll take that opportunity and sit down after I just express, for the final time, that we certainly need to have that confidence and integrity in our capital market system in the province of Ontario. This could be one of the most important bills we deal with this fall.

**The Speaker:** Is there further debate? The member for Oxford.

**Mr Sutherland:** No further comments.

**The Speaker:** Mr Sutherland has moved second reading of Bill 190. Is it the pleasure of the House that the motion carry? It's carried.

By previous agreement of the House, this bill is referred to the standing committee on finance and economic affairs. There is one day of hearings scheduled for December 1.

It being past 6 of the clock, this House stands adjourned until 10 of the clock tomorrow morning.

*The House adjourned at 1804.*

## ERRATUM

No.	Page	Column	Line	Should read:
158	7801	2	51	want to know whether it's true that over the last year you



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# Legislative Assembly of Ontario

Third Session, 35th Parliament

# Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

## Official Report of Debates (Hansard)

Thursday 24 November 1994

## Journal des débats (Hansard)

Jeudi 24 novembre 1994

Speaker  
Honourable David WarnerPrésident  
L'honorable David WarnerClerk  
Claude L. DesRosiersGreffier  
Claude L. DesRosiers*50th anniversary**1944–1994**50<sup>e</sup> anniversaire*



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 24 November 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 24 novembre 1994

*The House met at 1001.*

*Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS

**The Deputy Speaker (Mr Gilles E. Morin):** The honourable member for Oriole.

**Mrs Elinor Caplan (Oriole):** The issue that I bring before the House today—

**The Deputy Speaker:** Just present the reading first, please.

MUNICIPALITY OF METROPOLITAN TORONTO  
AMENDMENT ACT (STREET VENDING), 1994

LOI DE 1994 MODIFIANT LA LOI  
SUR LA MUNICIPALITÉ DE LA COMMUNAUTÉ  
URBAINE DE TORONTO (VENTE DANS LA RUE)

Mrs Caplan moved second reading of the following bill:

Bill 183, An Act to amend the Municipality of Metropolitan Toronto Act / Projet de loi 183, Loi modifiant la Loi sur la municipalité de la communauté urbaine de Toronto.

**The Deputy Speaker (Mr Gilles E. Morin):** Pursuant to standing order 96(c)(i), the honourable member has 10 minutes for her presentation.

**Mrs Elinor Caplan (Oriole):** Thank you very much, Mr Speaker. Having been in the House since 1985, we have to be reminded of the procedures of private members' hour from time to time, so thank you for your patience.

Bill 183, which is An Act to amend the Municipality of Metropolitan Toronto Act, is really an act or a proposal that was brought to me from a representative of Metropolitan Toronto council, Councillor Howard Moscoe, and I have also met with Douglas Floyd, the commissioner of transportation, to discuss this issue.

I thought I'd take just a couple of minutes of my time to explain to the members of this House and anyone who is watching the debate what the issue is. I've sent to all members a packet of information, but I think it's important that we be really clear and on the record what the problem is and what this legislation is designed to do.

Some time ago, the city of Toronto, via a private member's bill in this House, was given the power to regulate, through the ability to establish a permit system, vendors who set up to sell their wares on city streets and road allowances. The reason they made that request many years ago was obvious. They had people who were putting out their tables and selling their wares and there was frequently disruption as to who was in which location and who could be where and who had the right to be on those city road allowances.

This Legislature gave the city of Toronto the ability to

set up a system. They chose a lottery system. They decided how many vendors they thought were appropriate for their streets. Over the years they've watched how that system has worked, and the information I have is that it works quite well.

So why is Metropolitan Toronto interested in this? As you know, there is the Metropolitan Toronto Licensing Commission, which actually gives out licences. What they have found is that all of the other municipalities within the Metro partnership, within the Metro federation—and those other members are the city of North York, the city of Scarborough, the city of Etobicoke, the borough of York and the city of East York—do not have the same powers as the city of Toronto. As vendors have had success in the city of Toronto, they have been moving into the other municipalities within Metropolitan Toronto, and there is no ability for the local councils to deal with those very same issues that the city of Toronto dealt with over the past few years.

The request has come that we amend the Municipality of Metropolitan Toronto Act to give to the other municipalities within Metropolitan Toronto the same ability to design a system as they see fit. This act does not impose upon the rest of the municipalities in Metropolitan Toronto the city of Toronto solution. It enables them to develop their own solution to solve the problem of the proliferation of vendors in areas where the community may not be happy with them, where there may be seen to be too many, where they may be causing traffic problems, or where it could simply be a dispute over who has the right to that location among the vendors themselves. That's what this legislation does. It enables the other municipalities in Metropolitan Toronto to have the same rights and powers as the city of Toronto has.

This is not a province-wide bill. There are other municipalities, such as the city of Ottawa, which already have those authorities, and in fact this Legislature has granted the ability to solve local problems from time to time, so I think it's appropriate for us to respond.

Why is this coming forward as a private member's bill? Frankly, I asked that question of Metropolitan Toronto, and what they were told by the Minister of Municipal Affairs was that this was an appropriate matter for a private member's bill, that the city of Toronto had originally sought the powers through a private member's bill, that the government didn't have time on its agenda to bring it forward as a piece of government legislation, but that if there was agreement in this House, the government gave the commitment, the Minister of Municipal Affairs has given the commitment, that this would be accepted by the government and they would call this bill and it would be dealt with expeditiously.

I have brought this legislation forward at the request of



Councillor Howard Moscoe and with the advice of Doug Floyd, the commissioner of transportation, and I believe that it fits the criterion of allowing a permitting system.

For those who are interested in how it would work, the analogy I would use is that the province of Ontario gives you a licence to drive your car. However, the city of Toronto has the authority to give you a permit for overnight parking. They have a parking permit system that not other and all municipalities have. The city of North York, for example, does not permit parking on their streets overnight. So notwithstanding the fact that vendors have to get a licence, and they will still have to get a licence, this will require vendors to get a permit from the city, all of the cities and the borough of York, in order to establish themselves on a city road allowance, on a city right of way, on city property.

I think it's a reasonable request. I want to point out to the members of this House that the system that the city of Toronto has set up is working well. I think the other municipalities which are supporting this bill and wish to have the ability to establish their own system will look at the city of Toronto and say, "Will that work for us?" and if it doesn't, it allows them to design their own local response, their own local solution.

1010

So I would point out that this is enabling legislation. It gives to the other municipalities within Metropolitan Toronto the same rights that the city of Toronto already has. I don't see it as a partisan issue or a partisan debate in any way. I understand how busy the government's agenda is and that it is frequently, on this kind of an issue, easier for them to respond to private members and a resolution from this House. I ask the legislators here today to support this legislation in the spirit in which it is presented, which is one that says a municipality, one that we are actually a part of—this building is actually in Metropolitan Toronto, as we know—has made a request that we can respond to, and that we can respond to in a non-partisan and expeditious way.

Having put that argument forward, I'd like to say that I am from the city of North York and I represent the constituents in the riding of Oriole. This is at this point in time not a big problem in Oriole, but I can foresee that it could be an issue in Oriole, on our streets.

I know that it is an issue on Yonge Street, which is not very far from Oriole riding. The boundaries of Oriole are Leslie Street on the west, Victoria Park on the east, the 401 on the south and Steeles Avenue on the north. But Yonge Street is really just a couple of miles away and I know that in the western part of North York and in other parts of North York—I think you'll be hearing from other members in Metropolitan Toronto whose municipalities are starting to experience some difficulty as vendors try to establish themselves in a location and there are frequently tensions both with the local community and with other vendors if you don't have in place a logical and sensible way of designating who can set themselves up and where.

I'd like to point out and just put on the record that this doesn't cost the taxpayers anything. There's no cost involved in the establishment of this permit system, or

there should be no cost. Whenever the city of Toronto and Metropolitan Toronto have done a licensing system or a vendor permit system, the costs of the permits are paid for, any administrative costs. So it is a reasonable request. It has no cost to the provincial government. It can be set up in such a way that there is no cost to local property taxpayers, as the vendors who will benefit from being able to sell their wares on city road allowances will pay for the privilege of doing that.

The legislation that I've put forward is in that spirit and I'd ask for support of all members of the House.

**Mr David Johnson (Don Mills):** If I could just correct the member for Oriole at the outset, it is the borough of East York and the city of York. East York is the only borough in Canada, and very proud of it too.

**Mrs Caplan:** I stand corrected.

**Mr David Johnson:** But I might say that, yes, this is an issue in Metropolitan Toronto, the licensing of vendors. It doesn't rate up there, I don't expect, with the issue of taxation, for example, that the Metropolitan Toronto Board of Trade has brought forward with the publication *Killing the Golden Goose*, which outlines the high level of property taxes in Metropolitan Toronto. It has been pointed out, for example, that a hotel in Etobicoke pays about twice the taxes as a hotel across the border in Mississauga. It doesn't quite rate up there with that issue.

That issue, I might say, is one where the Metropolitan Toronto Board of Trade says there are basically three problems with regard to the level of taxes in Metropolitan Toronto. If you were to ask the Metropolitan Toronto council, my guess is that they would say that taxes would be the number one issue that we should be dealing with in this Legislature.

The board of trade has mentioned three problems. One is an antiquated assessment system that unfairly deals with many businesses, such as hotels, but many other businesses in Metropolitan Toronto. There's a problem that the school taxes are on the property taxes, and the school taxes are very onerous across the province of Ontario, but particularly in Metropolitan Toronto and the city of Ottawa, where the province contributes nothing towards education. The total burden of the school tax falls on the backs of the residential property taxpayers and the business taxpayers. Thirdly, the cost of welfare which has grown enormously over the last six or seven years: I think the cost of welfare during the term of the Liberal government in the 1980s tripled and it's doubled again during the term of the NDP government. Those are the kind of problems the Metropolitan Toronto Board of Trade sees.

But still, there is an issue with regard to the vendors. I served on the Metropolitan Toronto council and I've seen that particular issue come before us and it certainly provokes a great deal of heat. It perhaps doesn't rate up there, again, with the issue that was dealt with by the taxpayers in the city of Toronto; that issue on the ballot was, should the Metropolitan Toronto level of government be eliminated? Sixty per cent of the people of the city of Toronto said the metropolitan level of government should be eliminated.

My guess is that if that same question was asked across Metropolitan Toronto in the other five municipalities there would probably be a similar vote. The vote is registering a concern with regard to the overlapping, the duplication, the layers of government that we have, not only in Metropolitan Toronto but in Ontario, certainly here in Metropolitan Toronto.

That is another major concern that I would suggest most in government, perhaps all in government, would say if we need to get on with something. If we need to spend time in this House, it would be on that issue rather than on street vending. Still, it is a concern.

Other concerns would rate higher in the estimation of the people of Metropolitan Toronto: job creation, unemployment. There are 200,000 fewer people employed within Metropolitan Toronto today than five years ago, 200,000 jobs lost; vacant office space; vacant industrial space; businesses that were gainfully employed years ago that are out of existence, that have gone bankrupt; people thrown into unemployment; people thrown on to the welfare rolls.

These are the kinds of issues, I would suspect, about which the governments within Metropolitan Toronto and the people of Metropolitan Toronto would say: "Tackle those issues, address those issues. Let's do something to get job creation moving in Metropolitan Toronto." That again comes back to the document put out by the Metropolitan Toronto Board of Trade just last month. They point out that it's taxation, it's the assessment base that is out of date to address those problems. Those are the issues you need to deal with.

We could talk about transportation in Metropolitan Toronto, a major issue, an issue that would be on the tongues of the Metro councillors, on the tongues of the local councillors, I would have to say, much more so than street vending. Street vending is important in its own right, but it would hardly compare with establishing an affordable and an effective transportation system in Metropolitan Toronto, and one that is going through and has gone through considerable crises in the last few years. Doug Floyd has been mentioned, the commissioner for Metropolitan Toronto. I've known Mr Floyd for many years, a former resident of the borough of East York, I might add.

Mr Floyd, being in charge of the transportation department in Metropolitan Toronto, is most concerned about street vending, no question. But if you were to ask Mr Floyd, "Make a list of the major concerns you would have within your department," I would suggest that at the top of the list would be his concern for the lack of progress in maintaining a good arterial network of roads in Metropolitan Toronto. There has been virtually no major construction of any improvement, any addition to the arterial network of Metropolitan Toronto for two decades.

1020

Think back. When was the last time there was a major addition to an arterial road, an extension or a new arterial road, in Metropolitan Toronto? Think of the traffic two decades ago with regard to the traffic today in Metropolitan Toronto. Think of the Don Valley Parkway in the morning and the crush of traffic—

**Mr Jim Wiseman (Durham West):** I just got off.

**Mr David Johnson:** —and the people who come in from Durham West, as the member across the way says, using the Don Valley Parkway. That's what Doug Floyd, I'm sure, would put towards the top of his list as a problem.

He would also put on the top of the list the maintenance of the existing network of roads and bridges, and bridges are right at the top of that list. Believe it or not, the Don Valley Parkway is a big bridge. That's what it is, and the Don Valley Parkway is going through considerable maintenance each and every year. Ask the motorists—

**Mr George Mammoliti (Yorkview):** How about this morning?

**Mr David Johnson:** The member for Yorkview says, "How about this morning?"

*Interjections.*

**Mr David Johnson:** Well, the vendors have to come to work somehow and all the people who come to work in Metropolitan Toronto—

**Mr Rosario Marchese (Fort York):** Those vendors would have a field day.

**The Deputy Speaker:** Order, order. The member for Durham West, the member for Fort York.

**Mr David Johnson:** These are some of the major problems that we should be dealing with because Mr Floyd, as the commissioner of transportation, has inadequate resources to deal with the maintenance of the bridges, the maintenance of the Don Valley Parkway, the maintenance of the major roads, the transportation network in Metropolitan Toronto.

*Interjection.*

**Mr David Johnson:** Yes, the bill. This bill is important. Street vending, I know from—

**The Deputy Speaker:** If you would address your remarks to the Chair, you won't attract the debate with the other members, please.

**Mr David Johnson:** Mr Speaker, I apologize. They are somewhat disruptive but we do have to put up with them.

This bill, I know from personal experience, is a hard one to deal with because there are more street vendors in Metropolitan Toronto than the Metro government deems there are positions. If you go back a number of years ago, they were uncontrolled. The street vendors were permitted to set up shop anywhere. That's the free enterprise spirit and indeed they did.

Some people considered this a bother because they would set up side by side and there would be competition and perhaps in some cases they'd block sidewalks and perhaps in some cases they would set up near a store that sold essentially the same sort of products that they did. Yes, in some cases, there were harsh words between the vendors, there were harsh words between the general public and the vendors, perhaps the odd fight; I don't know.

It was deemed that this system of street vending, the carts selling popcorn or selling hot dogs or whatever they



were selling, had to be controlled somehow and regulated, so a system was brought in. Since Metropolitan Toronto does not have the authority, it was brought in through the city of Toronto, that does have the authority and there was a working together and that relationship still works today in the city of Toronto.

I must say, the city of North York has a few occasions to use such a system as well. But most of the municipalities would not come under scrutiny by the vendors because the vendors go to where the people are and the people are primarily downtown here in the city of Toronto; perhaps at Sheppard and Yonge Street, around the North York centre. But in East York, for example, the municipality of which I was mayor for a number of years, there aren't too many street vendors.

**Mr Mammoliti:** You did a good job.

**Mr David Johnson:** And I did a good job. Thank you to the member for Yorkview.

Because there aren't that many people, the street vendors aren't attracted there, so it's no big problem. I can tell you that on occasion flower vendors have set up on O'Connor Drive, for example. You come around the corner on O'Connor Drive and there they are, or there one individual would be, and traffic would be stopped and perhaps a little bit of a danger. But by and large, there's no particular problem in East York with regard to the vendors, so this is primarily a problem in the city of Toronto and, to a smaller degree, in the city of North York.

The system that's in place is not without its faults. There are more vendors than Metropolitan Toronto has established locations for the vendors. Consequently there's a lottery and if you win the lottery you're in business; if you lose the lottery, tough luck, you don't get a spot. People who have had a spot for a couple of years, and I believe the lottery comes up every two years, may find themselves out in the cold. There are certainly complaints about the kind of lottery system that is in place, but the Metropolitan Toronto council, I guess, believes it's the best that can be done.

It is an issue that needs to be dealt with. It doesn't rate with regard to policing, for example, in Metropolitan Toronto; the issue of policing, the issue of the illegal booze cans where people are getting shot. It doesn't compare with the problem of safety in our communities, with the problem of drug use and policing for drugs, catching those who are selling drugs and the horrible impact the drug trade is having on many communities in Metropolitan Toronto. I know in my own community of Don Mills there was an operation just this past September, it came to a culmination in September. Thirty people were arrested: 16 of them were pushers, 14 of them were buyers. That had a most tragic impact on the community where the illegal trade was taking place. If you ask the people of my community, that would be of much greater importance, as would other issues such as the ambulance service.

There were reports in the press recently that there are problems in the ambulance service. There's a lack of morale, the response time is a bit too long. I know these issues need to be dealt with, but there's a different

funding formula here in Metropolitan Toronto and I wonder how many people know that in this Legislature. Ambulance services generally across the province receive 100% of their funding from the province of Ontario, but do you know that in Metropolitan Toronto—and we're talking about Metropolitan Toronto here today—only 50% of the funding for the ambulance service comes from the province of Ontario and the other 50% comes from the property base in Metropolitan Toronto? There's another issue we could be talking about, to improve the level of service of the ambulance department.

Water treatment is an issue that is of most concern. The Provincial Auditor has pointed out that some million people have been in jeopardy across the province of Ontario, none of them I believe in Metropolitan Toronto. I believe the water system we have in Metropolitan Toronto is a safe system, but nevertheless of critical importance. There's an issue we could be talking about.

Economic development is another issue. All the mayors are getting together in Metropolitan Toronto to promote economic development, to promote jobs and growth. That's another issue we should be talking about to assist Metropolitan Toronto.

But in all that mix, somewhere down the list—and I'd have to suggest considerably down the list—does come the issue of street vending, so I'm glad I've had an opportunity to speak to it for 15 minutes today.

**Mr Bernard Grandmaitre (Ottawa East):** I'm pleased to support my colleague from Oriole to bring Bill 183 to our attention. I would have preferred the government to do it, but the initiative this morning comes from the opposition. This is a needed piece of legislation for the simple reason that, as pointed out by the member for Don Mills, there is a problem in Metro and I think this bill will provide us with a solution.

As you know, street vendors are becoming a big business, not only in Metro but in Ottawa-Carleton. I can recall two or three years ago the city of Ottawa instituted a bylaw which now permits vendors to locate in certain areas. This has improved the walking distance from business to business and also it improved the parking system around the market area. This piece of legislation has resolved 90% of our problems in Ottawa-Carleton, and I don't see why members of this House would oppose such a bylaw.

As pointed out by the member for Oriole, it's enabling legislation and it's up to individual municipalities in Metropolitan Toronto to choose the model or the system. It could be a lottery system or it could be something else. I think it's only right that this enabling legislation will give municipalities the power, the responsibility, to pinpoint or to locate these locations and allocate them as they may choose.

I think this kind of legislation cannot be opposed by any member of this Legislature for the simple reason that it gives the municipality that power to regulate their problems. They know better because they live it every day, and I think municipalities will simply enjoy that privilege or that power. I hope that every member in this House will support the member from Oriole.

**Mr Marchese:** I want to take my five minutes to speak to Bill 183 and to say that I support fully the bill that the member from Oriole has presented. Bill 183 will give authority to set up different types of zones, no-vending zones, issue permits and would also give the power of seizure. All of those things in my view are things the Toronto council has had since 1990, and they are things that every other municipality within Metro should be able to have.

Because it's been very successful in Toronto there has been pressure to allow vending outside of Toronto, obviously, because the number of vending licences issued by the Metro licensing commission exceeds the number of legal vending sites in Toronto. That clearly shows us that it's been working in Toronto and that there are many more who would love to be able to vend outside of the city of Toronto.

1030

The lack of authority to this point has meant that some Metro area municipalities have prohibited vendors entirely, as a means of control. We argue that prohibiting vendors entirely isn't the fair way to control vending at all. In fact, it's an unfair way to do it. We want to make the argument, or at least I want to make the argument in supporting Bill 183, to say that street vending is important, it's part of what makes up the fabric of many of our communities. Vendors bring excitement, character and life to our communities. In fact, the Eaton Centre vice-president, Dennis Hars, said that vendors add flavour to downtown as long as they are regulated. What we're asking through this bill is to allow Metro to be able to regulate, not just in Toronto but in all municipalities.

We say that vendors increase the number of street pedestrians, benefiting small and large businesses. Some business people believe that vendors' presence is positive because in fact they attract people, not send people away. Vending is popular, something that we should be able to facilitate, and Bill 183 gives Metro the tools to facilitate the activity in a regulated way instead of having to prohibit the practice entirely.

Bill 183 would in my view foster, not stifle, the entrepreneurial spirit that is within individuals to make a living, and if some members of this House present this as a problem, we say it is good for business, it's good for individuals because they create small businesses, as opposed to presenting arguments, as Mr Johnson has, that it's somehow a problem. "It's okay for Toronto, but nobody else really wants it." That's not true. This is good for business and it's good for small business.

I want to make another point: Vending has been used as a stepping stone to establish new businesses for those who have already established themselves as vendors on some of those city and Metro streets. Regulation therefore is key to a number of things: Sweep illegals off the streets, establish an ordered framework for vending, protect the legitimate vendors, open up more areas to legal vending in certain areas where they choose. It would foster entrepreneurial spirit, something I would think the Tories in the end would support, in spite of the things Mr Johnson has stated.

So I would hope that rather than talking about every-

thing else under the sun, as Mr Johnson has done, we will focus on this particular bill, which I think is good, not just for Toronto but for Metro. I support the member for Oriole. I think it's a good bill and I think this government should facilitate the passing of that bill.

**Mr Alvin Curling (Scarborough North):** I too would like to add my support to private member's Bill 183, presented by my colleague from Oriole. It is always a pleasure actually, an unusual pleasure, to speak on a bill that all members of the Legislature support. It's also interesting to hear their perspective, just as Mr Johnson put his perspective to it. I commend him for his perspective because it adds to the kind of character of legislation and the character of the House itself, and the member for Fort York so eloquently supports that kind of initiative.

As you know, in the last couple of years, maybe the last five years, we've seen such a recession in this province. We see an increase of unemployment, so therefore what we have here is the creativity of creative entrepreneurs who may decide not to seek employment in the regular pattern but to get out and do some sort of vending. As a matter of fact, it adds a lot of great character to the city. You go down and somehow you can walk around and purchase things, which normally you have to go inside to do. But again, of course, we have to have some sort of regulation.

It's quite timely too, I find, that this legislation has come forward, because at times it was maybe unnecessary in certain cities or in a certain borough to do so. In Toronto, which is more or less the hub of where many of the activities are, they have seen a lot of vending and maybe we can, as a model, look at Toronto and find out how it enforces its legislation.

Of course, we have a couple of concerns here. While I support them very strongly, I find that in the enforcement aspect of it we must make sure that those who are enforcing it will be rather sensitive to the entrepreneurs, the vendors, that people understand the laws and realize that laws are put in place so we have proper regulation. The people who are being harmed by the way they are not regulated, the pedestrians, the parking aspect of it, motorists passing by—that would cause quite a lot of problems while we randomly have these vendors around. Therefore, having laws and regulation and a process in which to do it is extremely important from that point of view.

Also, I hope we don't have the sort of red tape that finds these vendors lining up for a long time to get their vendor's permit and frustrating them in that aspect of it so that people become rather creative in ways of not getting a licence. We hope the red tape aspect of it will be eliminated and people are able to get their permits to exercise this kind of creative ability.

In Scarborough, for instance, one of the fastest-growing cities, with half a million people there, and of course the city hub is of different areas, we see a lot of vending happening, vendors emerging. Of course, they welcome that and give their support to this legislation. As a matter of fact, all the cities and the borough, as my colleague from Oriole expressed, have shown a keen interest in it and want us to move ahead.



We know of course private members' bills sometimes get clogged up in the process of having first and second reading and are not passed through legislation. I would encourage colleagues here to make sure this goes through the House before we have this adjournment, recess or whatever by December 8. It's such an appropriate time because of the fact that it's Christmastime too, so those would be in place. We know that if we should lose this legislation now, we'd have to start all over again and maybe have more problems in that regard of having it properly regulated.

So in regard to this effort and this legislation, I strongly support this. I'd urge all members to encourage their municipalities in any creative manner to administer that. I commend my colleague here and I appreciate the opportunity to speak on this legislation.

1040

**Mr Mammoliti:** I want you to put yourself in the position of an individual who has saved \$30,000, \$40,000, \$50,000 and who decides to buy a particular unit in a particular municipality, whether it's a condominium—or decides to rent a particular unit—and takes his or her money and decides to open up a pillow manufacturing business or a comforter business, as somebody in my riding has done and has been established, quite frankly, for the past 10 to 15 years.

I want you to put yourself in that person's position when he drives to work every morning and sees a number of different trucks parked on the side of the street, selling pillows and selling comforters. This individual, who has spent \$30,000 or \$40,000, as I said earlier, and who now has an established business, has overhead and has a number of bills to pay at the end of the month. When you see an individual parked on the side of the street selling the same product, most likely at a cheaper rate, it becomes very frustrating for you.

One of the reasons I agree with the bill is because it regulates. If you regulate and if you give the municipalities the right to regulate, you'll be able as a municipality to govern where these individuals are parked. This particular person, as I said, has invested all his money and his family's money in his business. I think if the bill is passed it will ultimately give, in my particular case, North York the right to regulate, to give out the vendor permits and to establish where that person's going to be parked.

I tell you, this has been a big problem up in my neck of the woods. For this reason, I'm going to support the bill. I think that, as it's a problem in Yorkview, it's a problem in every municipality, big or small. Mr Johnson earlier had talked a little bit about population and how that affects the problem. I could tell you very clearly that while, yes, population does attract vending, I think it's a problem even on some of the streets up north. I think that if we could extend and amend this bill to include all municipalities, that would be great.

While I have spoken briefly about the good point that this brings out and how Yorkview will benefit from it, I must tell you that I'm not sure what this will do about somebody who decides to illegally sell on private property. I'm hoping that when the author of the bill, the

member for Oriole, stands up, she will talk briefly about what we can do or what could possibly be done to incorporate some language in the bill that would give municipalities the right to perhaps regulate on private properties. In my riding there is that problem and I think this won't help that particular end of the problem. So I'd like to talk a little bit about how to solve that end of it.

The other area, very quickly, is lotteries. I know that municipalities choose to do their own way of giving out vending permits. I want to put on record that I'm not an advocate of lotteries. I know it's difficult to find a way, a mechanism of giving out the permits, but I'm not sure that putting names in a hat is the best way of dealing with it. I know it's really not something you can deal with through the bill, it's the municipality that deals with it, but I wanted to put that on record for the member.

I don't have much time, Mr Speaker. I think I've pretty much said everything I wanted to.

**Mr Gary Malkowski (York East):** I am very pleased to be able to participate in the debate in full support of Bill 183. I would like to share a little bit of what I have seen that's happening in terms of vending in the borough of East York: on Bayview in the Leaside area; on Pape Street there's some vending; on Donlands and the small businesses in that area. Also, on O'Connor Drive I have seen some vending happening. I think that is beneficial for economic development, and I very strongly feel the borough of East York should become more accountable in terms of supervising and watching and promoting the economic development, but also looking at watching this grow and also reducing the red tape so that everyone is accountable.

There was a report on the borough of East York, and the report was from the commissioner of works in the environment. It was April 28, 1993. The report strongly recommended the borough of East York's support for the city of Toronto's application for the special legislation to be enacted on street vending. So obviously, I think, the borough is in strong support.

A lot of constituents of mine are people who are vendors, and the feedback that I've received from the constituency is that it would be beneficial to have this kind of legislation. So therefore I think this is an appropriate place where members can collect and talk about the legislation. It's, I think, very simple. It's not going to cost a lot and yet it still promotes and encourages small business, and it attracts people into the area from big and small businesses. I think the borough of East York talks about the concern of transportation and the concern of health and safety, but many constituents really enjoy that option of going to vendors within the borough.

Therefore I would like to give my full support to Bill 183 for the reasons that I've just talked about and the feedback that I have gleaned from my constituents in the riding. I would just say congratulations to the member for Oriole for raising this issue in the House.

**Mr Drummond White (Durham Centre):** I'd like to congratulate the member for Oriole on taking the initiative in bringing forth this bill. Certainly, on behalf of the government and the Ministry of Municipal Affairs, I know that we have no objections to the bill. I think it

makes some deal of sense. We have a jurisdictional issue with Toronto and Metro, but overall I think what should be brought forth is the issue that while we're talking about regulation of street vendors, we're not talking about prohibition of street vendors, which is what is occurring right now.

Without those powers to regulate, the municipalities are forced to prohibit, to stop people from vending on the streets, and of course that regulation is important because those vendors can often interfere with the businesses, with thoroughfares etc. Doing it by regulation, by establishing zones for street vendors, it enables them to have access to the market.

I also would like to comment briefly about the very simple fact that, as my colleague was saying, it's not usual to pass legislation through private members' hour. It certainly has not been the case in the past. However, in this Parliament there has been a virtual flood of legislation. Her friend Mrs Fawcett, the member for Northumberland, and her friend Mr Mahoney, the member for Mississauga West, have passed private members' bills; Mr Turnbull, the member for York Mills, and the member for London North have as well. I believe the member for London North's was the bicycle helmet legislation.

Mr Duignan, the member for Halton North, with preservation of the Niagara Escarpment; Mr Wessinger, the member for Simcoe Centre, with the residential tenants, the trailer park legislation; the member for Durham West with endangered species; Mr Martin, the member for Sault Ste Marie, with the adoption bill; and I believe my friend Mr Rizzo, the member for Oakwood, will be presenting a piece of legislation later this morning as well, again on family law reform. These pieces of legislation are taken very seriously by our Parliament and by our government.

**1050**

I think it's very commendable that my colleague is speaking about an issue that doesn't even affect her direct riding. Although it has been brought forth by a Metro councillor from her city, it's not something which directly affects her. I think this speaks to how this body, this Parliament, can be used in a non-partisan way and how a ministry, such as the Ministry of Municipal Affairs, can process issues that have no direct political or partisan benefit but rather speak to the benefit of all of our community.

Again I'd like to thank my colleague for her excellent bill and for a good presentation thereof.

**Mrs Caplan:** I'd like to thank all the members in the House who spoke to the bill that I have presented on behalf of Metropolitan Toronto and the cities in the federation of Metropolitan Toronto, as well as the borough of East York. I'm pleased that I have an opportunity to let the citizens of East York know that I know that they live in the only borough. To the residents of the city of York, I stand corrected; it was a slip of the tongue.

I think we've had a very good debate. I think a number of issues and different perspectives have been raised. I believe, as has been said, that this bill will encourage

vending in appropriate locations. It will encourage municipalities to permit vending in places now where they've had to prohibit everywhere as the only way of controlling vending in inappropriate locations.

I think this bill will create a dynamic vitality in our city and that we will see jobs created and economic activity in places which the local municipalities deem appropriate. I think it will also lead to the solving of problems and disputes, and I believe that it will prevent problems simply because you will have a system in place that is respected because it is seen as reasonable.

Not everyone may like the results. Certainly in the lottery system those people who do not receive a lottery are not happy with it, and we have to acknowledge that. The other alternative—and I want to respond directly—to a lottery system is a first-in-the-door, take-a-number, stand-in-line kind of system. Under this legislation, municipalities can choose which system they prefer.

I think that ensuring there's fairness in that system is going to be the responsibility of the individual local municipalities. As a former councillor in the city of North York, I believe and I'm confident that the municipalities can design a system that will work in each of the municipalities for their purpose.

There was one issue that was raised that I would like to address—the member for Yorkview raised it—and that was the issue of illegal vending on private property. It is true this bill does not deal with that. Certainly in committee of the whole if there are suggestions as to how it could be incorporated, I would be pleased to do that. However, that is a very difficult and thorny issue because there are many private property owners who don't want to have anyone have the ability to do anything on their land except themselves, and they deal with the issue by calling the police or enforcing.

Frankly, I support their right to not have anyone intrude on their land. That's why I have not included in this legislation anything to do with private property. Certainly for some private property owners that is an issue, and they have said, perhaps to the member for Yorkview, that they would like the municipality to be able to incorporate enforcement on their lands as well. Certainly that's a good debate, but my own feeling is that that's a debate for another time and another place, and I don't think it can be incorporated in this legislation without some discomfort for private property owners.

I would also say that the timing of this legislation is crucial, and I'd like to quote, if I can, from a letter that was signed on behalf of Mr Floyd, the commissioner of transportation. He says, "The timing of legislative changes is crucial given that any change within the two-year lottery cycle will be difficult to undertake."

We know that the next lottery in Toronto will be held early in 1995. The bottom line of this letter from Mr Floyd says, "It is essential that the necessary legislative enactments occur prior to the end of December 1994."

I have had communication, as I said earlier, with both Mr Floyd as well as Mr Moscoe, and they have told me that the government is able to meet and accommodate their time line. I've heard support from numerous mem-



bers on the government benches, and I would hope that Mr Moscoe and Mr Floyd and the municipalities of Metropolitan Toronto will not be disappointed and that this legislation in fact will move forward.

At the end of my time today I'm going to move that this go to committee of the whole, and in committee of the whole, expeditiously, there is room and ability to amend the legislation. I have received a memorandum from Councillor Moscoe with some suggestions from a lawyer by the name of Jeffrey A. Abrams, who is a solicitor for Metropolitan Toronto from their legal department. He has a few suggestions for amendments to the bill.

My intention is to send these to the Minister of Municipal Affairs, and if there is a desire that these amendments be included at committee of the whole, I would be pleased to do that. If the ministry has difficulty with the amendments, it's my view that the bill should pass as it is. As we know, the only thing that's ever carved in stone in this building are the names of the members in the wall. There's always the ability in the future to change and amend legislation if it is not working as we hope that it will.

I'd like to thank the member for Don Mills, the member for Ottawa East, the member for Fort York, the member for Scarborough North, the member for Yorkview, the member for York East and the member for Durham Centre for participating in this debate. I believe that we have fully explored the issue in a non-partisan way. I'd like to put on the record that this issue was brought to me by Councillor Howard Moscoe, the Metropolitan Toronto councillor for North York-Spadina, and it was brought to him through discussions with Mr Doug Floyd. So any congratulations for the raising of this issue I think belong with those people. I have simply put forward the legislation on behalf of those who have identified both the problem and the opportunity.

As I close my remarks, I'd like to repeat again that I think this legislation will give us an opportunity to see jobs created, vending jobs, and appropriate locations decided by the local municipalities. I want to thank the members of this Legislature for their support, and I look forward to speedy passage of the legislation.

**The Deputy Speaker:** You still have a minute and a half.

**Mrs Caplan:** While I do have a minute and a half, for those of you who know me, I can probably continue talking, but in fact I have said everything that I'd like to say about the legislation, and I would ask the members of the government caucus if I sit down now if that means we'll get speedier passage of the bill.

CHILDREN'S LAW REFORM AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI  
PORTANT RÉFORME DU DROIT DE L'ENFANCE

Mr Rizzo moved second reading of the following bill:

Bill 156, An Act to amend the Children's Law Reform Act / Projet de loi 156, Loi modifiant la Loi portant réforme du droit de l'enfance.

**The Deputy Speaker (Mr Gilles E. Morin):** Pursuant to standing order 96(c)(i), the honourable member has 10 minutes for his presentation.

**Mr Tony Rizzo (Oakwood):** The introduction of Bill 156 for second reading presents us with the opportunity to take a close look at the family in times of need. Today's parents and children are finding it increasingly difficult to cope with the complex and challenging world we live in. They're all familiar with the very real threats to family stability: poverty, unemployment, high tax burdens on one hand and the decline of the traditional institutions that families could depend on for spiritual guidance and counselling in the past.

Also in the past, one of the resources that the family could turn to for help and advice was the presence of a grandparent. For many, grandparents provided the family with a source of wisdom and comfort at times of crisis and need. They helped with babysitting and child-rearing, gave advice when needed and often were able to help in times of financial difficulty. I think we would all agree that this is an aspect of family life that we would like to encourage and see continued today and into the future.

1100

It is also fitting, this being the International Year of the Family, that we acknowledge the special relationship between grandparents and grandchildren. While most of us recognize the important role played by grandparents in society, lately researchers and family life advocates have actually confirmed this reality: Grandparents have an important role in responding to the emotional upheavals and needs of their grandchildren, particularly in situations of marital breakdowns.

When things go wrong and families for whatever reason break up, the law that governs access to the children by grandparents is lacking and fails to acknowledge the special relationship that the grandparents should have. Bill 156 deals with the grandparents' rights of access to a grandchild under the Children's Law Reform Act and addresses those shortcomings.

Legislative jurisdiction of custody and access to children is a shared responsibility of the federal and provincial governments. In cases involving divorce, the federal Divorce Act governs the issue. In all other cases, the provincial legislation governs. Instances of provincial jurisdiction would arise, for example, when parents separate but no divorce petition is filed; where parents were never married; where one or more of the parents dies; or when the parents and child are an intact family and a third party seeks access to a child.

With the exception of Quebec, Canadian jurisdictions have been more reluctant than their American counterparts to give special recognition to the grandparent-child relationship. In Quebec and in many states south of the border, access with the grandparents is presumed to be in the best interests of the grandchild unless the contrary is proven. Under the CLRA this is not the case, and no special recognition is given to the grandparent-grandchild relationship. The onus is on the grandparent to show a benefit and prove that access is in the best interests of the child.

Bill 156 would change that by requiring parents and others with custody of children to refrain from unreasonably placing obstacles to personal relations between the children and their grandparents. It would amend section

21 of the act to mention them specifically, and not just view them as "any other person."

It would include a special reference to the importance of maintaining emotional ties between children and grandparents in subsection 24(2), a list of matters that the court must consider when determining the best interests of the child.

It would, under subsection 24(2.1), ask the court that is considering custody or access to give effect to the principle that a child should have as much contact with each parent and grandparent as is consistent with the best interests of the child.

Finally, it would, under subsection 24(2.2), require a court that is considering custody to take into consideration each applicant's willingness to facilitate as much contact between the child and each parent and grandparent as is consistent with the best interests of the child.

Across Ontario, thousands of grandparents live with the agony of never being able to have contact with their grandchildren. They live with the daily despair of knowing their grandchildren may think that their grandparents no longer love them or want to see them. In my own riding, I have been approached by grandparents who have no recourse when they are cut off from their grandchildren.

It is not too difficult for us to imagine: One parent dies and the surviving parent with custody refuses access to the parents of the deceased spouse because of personal conflict, or a common-law couple with children separates and the custodial parent refuses access to the parents of the non-custodial parent. As the law stands, there is no way for the grandparents denied access to effectively make a case for continued contact with their grandchildren.

Bill 156 will not change the presumption that access by a parent is presumed to be in the best interests of the child. Bill 156 will not take away the parental right to determine the best interests of the child if a parent decides that the child should not have contact with his or her grandparents. It will, however, give a grandparent some recourse before the law and make it harder for a parent to unreasonably deny access.

Children need their grandparents' emotional support in today's complex and often confusing society. Grandparents give children a link to their past, teach them many important things and give them the unconditional love that only they can provide. I call on my colleagues to support this bill and invite your comments and input.

*Interruption.*

**The Deputy Speaker:** I'd like to remind the people in the gallery that you have to refrain from applauding.

**Mr Robert V. Callahan (Brampton South):** It's a pleasure to join in the debate on this bill. I know I've seen at least one set of grandparents around here lobbying for years for this particular type of legislation.

I don't mean to say this in a negative fashion, but it's going to sound that way. It's unfortunate that Mr Rizzo, as a private member, has to bring this forward and that the government did not look at this entire issue in advance of this.

**Mr Bob Mackenzie (Hamilton East):** Oh, oh.

**Mr Gordon Mills (Durham East):** Oh, oh.

**Mr Ron Hansen (Lincoln):** Cheap shot.

**Mr Callahan:** The other side gets upset by my saying that, but the reality is that we have here in the gallery of the government and in our gallery many seniors who, if this passes today, are going to believe this will suddenly become the legislation of this province. We all know it won't unless the government House leader calls it. We have very scarce time in terms of that ever happening, with only about two weeks maximum left in this session and perhaps a week or two left in the session in the spring before we go to the electorate.

I have to say as well that as I approach my golden years, with my oldest son now married, I expect I will be a grandparent one day, and for that reason I suppose I can speak in great favour of this type of situation.

Having said that, however, I can tell you from 30 years of experience in the courts that custody applications are more fiery than defending an insane murderer. There have been lawyers who have been killed as a result of domestic applications, particularly involving custody. I can tell you that custody raises the emotions of people to a height you have never seen before. It has greater passion than anything else.

1110

Recognizing that fact, we should really be trying to craft a particular type of arrangement which will allow the true interests of the child to be determined in a less acrimonious atmosphere. We did that with the assets under the Family Law Act. We virtually turned the asset decision into a mathematical formula. But we still have people fighting over custody.

It's fine where parents agree to the custody of a child and access to the child and they have a good working relationship with the grandparents, maternal and paternal. But this act attempts to place into the law a situation which may not encompass those situations where there is a battle royal going on between not just the husband and wife, the father and mother of the child, but also perhaps a battle royal going on with the grandparents.

I think that any grandparent who will look at this in a broader fashion will accept the fact that there can be very bad relations between one or other of the parents and the husband or the wife. Of course, what this does is that it injects into the whole dynamic of this process one further obstacle, in a sense, that can create just a longer period of trying to determine the custody of the child and therefore placing the child at risk.

The importance of this, and I think grandparents would certainly recognize this, the importance of the whole custodial situation is to ensure that the child's best interests are looked after. There is no property in children. Even though under the common law and under statute law the mother and father have equal access or equal rights of custody to the child, the common law was wise enough to recognize that there is no property in children. In fact, the judge has an overriding consideration as pater patriens in order to determine an issue of custody in regard to how he sees it or she sees it, forgetting what the parties



themselves are trying to say.

If anyone wants to have a real experience, go in and watch a real dog-and-cat fight in a custodial battle. You watch this little kid or these kids sitting there crying because they've had a breakup of a marriage, and these people are fighting; I guess the classic example would be a mother and father at either end of the child, each of them pulling one arm one way or the other.

What we have to do is to craft a piece of legislation and recognize that this act that is being presented by the member does not change the legislation dramatically, but we have to endeavour to craft legislation that will in fact encourage the same type of non-acrimonious resolution of the issue of custody as we have done with some success with reference to family assets and support. I suggest, and this is not a partisan crack at all, that the legislators of this province have not applied their minds to that very important issue in seeing that does happen.

The reason it's important is the fact that children have the right to expect that legislators will craft a piece of legislation that will not simply give rights to parents or grandparents, but will provide an atmosphere within which those children will not come out of it battle-scarred and believing that either one parent or the other is terrible or that their grandparents are terrible because of whatever the circumstances are that applications have to be made for custody or access. I suggest to you that this is the issue that has to be determined, and it's the issue that if it's not determined, I suggest you're going to leave a lot of fractured young people in this province after the fact.

We're seeing today that the family breakdown is significant. We're seeing the divorce rate at an ever-increasing demand. We're seeing grandparents perhaps who are disenchanted with the person their daughter or son marries, and that does—and I think the grandparents in the gallery would have to admit it—create problems.

That may be because they don't like the person they married, it may be because there are differences in religious background or whatever, but if that does occur and if you have a problem in the house where the parents say, "Look, we don't want to participate with either of our parents for the moment; we want the stability of being able to love our child and raise our child," that may very well create the situation where if you pass this act in its present form, simply giving further rights to other groups, what you do is open the floodgates to allow an application to be made to simply put more pressure on young people than there is now.

What I say finally is, I have concerns that this has not been researched enough in order to really look at the issue as I've stated, and I'm not going to repeat myself. The major issue is the child and that's what we should be addressing. The interests of parents or grandparents, as admirable as they are—and I certainly subscribe to the fact that grandparents should have a loving relationship with their grandchildren, should not be denied access to them in the perfect situation, the perfect scenario. Unfortunately, we don't live in a perfect world; we live in a world where litigation is becoming more and more apparent. The children should not be the subject of that litigation.

This Legislature owes a responsibility to grandparents and to mothers and fathers and, most specifically, the children to ensure that we craft a piece of legislation that appropriately deals with the issue of ensuring that those children, who have already suffered a breakup of a marriage, will be able to have the emotional stability to grow up as good citizens of this province, emotionally sound and able to enter into a loving relationship.

I reserve the balance for my friend.

**Mr Allan K. McLean (Simcoe East):** I welcome this opportunity to provide a few comments on this private member's bill, An Act to amend the Children's Law Reform Act, that has been brought to our attention by the member for Oakwood.

I want to congratulate the member for Oakwood for attempting to address a weakness in Ontario's law reform act with respect to acknowledging the special relationship between grandparents and their grandchildren. I'm a grandparent eight times over and I treasure the relationship that I have with my grandchildren.

Briefly, private member's Bill 156 would emphasize the importance of children's relationships with their parents and grandparents, require parents and others with custody of children to refrain from unreasonably placing obstacles to personal relationships between the children and their grandparents.

It would also make amendments to specifically permit grandparents to make custody and access applications; make amendments to refer specifically to the importance of maintaining emotional ties between children and grandparents; it would require a court that is considering custody or access to give effect to the principle that a child should have as much contact with each parent and grandparent as is consistent with the best interests of the child; it would require a court considering custody or access to consider each applicant's willingness to facilitate as much contact between the child and each parent and grandparent as is consistent with the best interests of the child.

Several of my caucus colleagues—like the member for Oakville South, the member for Lanark-Renfrew and the member for Burlington South—and I have constituents who are grandparents who, through death or divorce, do not have access to the grandchildren they love and cherish. I know one who has been through 11 lawyers, spent more than \$20,000, and applied to numerous courts in an attempt to have some access to her three grandchildren.

Her daughter died after a battle with cancer when the youngest was less than one year of age. She returned home from the graveside alone and within days her son-in-law had another woman move into his home and was denying the grandmother access to her grandchildren.

The youngest child was run over by a transport truck after climbing out of his father's truck while the father was in a bar. The grandmother has saved and paid for the surviving children's education—\$13,000 for one and \$9,000 for the other—and sent cards and money to them on holidays and birthdays.

Last March the grandmother was denied access to them

forever. It was felt the children, 14 and 20 years of age, could make up their own minds whether or not they wished to see their grandmother, but I ask you, how could they make up their own minds? They have not known their grandmother since they were infants. They were never given a chance to know her, to love her, or to learn from her.

1120

As a grandparent who cherishes the relationship with my grandchildren, I support this private member's bill because if it can take some obstacles out of the way, it's a great plus.

I know of a family which was separating over a six-year-long divorce battle. The three children were not allowed to see one of the spouses for five years. Is that right? I think not. If this bill in any way will help solve that problem that we have in this province—I see so many divorces taking place where one spouse is adamantly at the other; the children are in between. I say to those spouses who are continually condemning their other spouse that they are condemning 50% of that child who they are saying is theirs.

It's important when we take this whole aspect of what has taken place with regard to divorce and when we look at society today, the problems that we're having in society are a part of all of this. To give the grandparents the rights that I think they should have to be able to love and cherish those grandchildren is so important.

The other aspect that I often wonder is how many lawyers in this province have caused some of the problems that parents have, that people have. Instead of trying to tell them, "Don't talk to your spouse," I think they should be trying to get them together, because not all people really want to separate, because I think the attitude should be when you first were married there was a reason you wanted to get married and I don't think there should be any reason that you want to be separating. I think there should be an emphasis placed on the availability of trying to keep people together. I have a feeling that perhaps some of our legal profession is the cause of some of the problems that we have.

I commend the member for Oakwood for bringing this bill forward, for the debate that's taken place here today. Perhaps there could be another date when we have more debate, because the aspects of those children are so important.

**Mr David Waininger (London South):** I can't imagine a caring and reasonable member in the House who would oppose grandparents having access to grandchildren where it's in the best interests of the children. For that reason, I too applaud the spirit with which the member for Oakwood has brought forward this bill, to highlight this concern that grandparents have that their access to their grandchildren whom they've formed a close relationship with and love not be disrupted.

I also agree with the comments of the member for Simcoe East. Too often family law matters become litigious, contentious. They're emotionally draining. I think it's an indication of the need for very early intervention in matrimonial proceedings to ensure that the level of the

proceedings doesn't escalate to the point of nastiness, the point of no return. That's the sort of thing we need to avoid through early mediation, arbitration, what you will.

On the other hand, I have to say quite candidly that the present Children's Law Reform Act does in fact allow any person to apply for custody or access. "Any person" has been interpreted by the courts to include grandparents but can also include other persons such as step-parents, aunts, uncles, cousins, adult siblings and even non-relatives. Under our act, which is comparable to all other legislation and in fact goes further than all other legislation in Canada except perhaps Quebec, there's an absolute right to bring an application for custody before the courts, unlike the federal Divorce Act, which is a little more problematic because grandparents would have to seek permission in order to apply for access under the federal Divorce Act. But certainly under our legislation, grandparents have an absolute right to apply for access to the children, but it's always subject, as is the case where any applicant applies for custody or access, to the best interests of the child.

What better yardstick do we have to measure the appropriateness of access to a child than the best interests of the child? It's a common misapprehension among parents, for example, that they have a right to access to the child, when the fact is it's really the child's right of access to the parent that the court is upholding because what's in the best interests of the child is child-centred. So no one has an absolute right to access, no one has an absolute right to custody, but the best interests of the child has proven to be the best measure by which we judge access and custody.

The Children's Law Reform Act presently requires the court to consider the love, affection and emotional ties between the child and each person claiming custody or access. While no one wishes to diminish the worth of the ties between grandparents and children, we have to adjudge them in the same way we adjudge other family members' right to access, and that, in the end, is based on the best interests of the child.

**Mr Steven Offer (Mississauga North):** Let me say how pleased I am to join in the debate on this particular piece of legislation. Let me say, at the outset, that I've had the occasion of talking about this particular issue over a number of years and I think that there are some in the gallery today who recognize some of those earlier debates.

I think a bill such as this is one which truly should go to a committee stage in this Legislature, where one can take a look at some of the very specific aspects in the legislation and determine what their impact is going to be. So I must say that I would be certainly very concerned if a piece of legislation such as this would not have the opportunity of going to a committee of the Legislature whereby there would be some public hearings and where we can hear some input from those who are emotionally attached to the legislation as well as those who can provide some significant legal advice as to what the impact might be.

I think we can deal with this particular piece of legislation in a very legalistic, dotting of the i's, crossing



of the t's approach. But I think what is also important is that we recognize the emotion behind the words and that there are people in this province, grandparents, who feel in many ways shut out from the process in and around the legislation. I think that we have to be conscious of that and we have to be sensitive to that.

I must say, though, as I speak, there are some concerns I do have with the legislation and let me say right at the outset that there are provisions in this legislation with which I do have some significant concerns. When you read the legislation, when you read the current Children's Law Reform Act, what we are talking about in the bill is that a person who has custody of a child shall not unreasonably place obstacles to personal relations between the child and the child's grandparents.

At the outset people would say, "Well, of course, that sounds wonderful." The concern I will tell you—and Mr Speaker, I know that I'm supposed to address my concerns to you, but I am looking to those in the gallery—is that we have to recognize that in many cases when we are looking at the Children's Law Reform Act and other pieces of legislation, we are not talking about a custody application or access which is in any way, shape or form amicable. We are usually in a litigious, very difficult situation.

When that is the case, when we have, in many cases, warring parties, we must be very careful that the words of the legislation don't operate against the best interests of the child. I do not suggest for a moment that that is anyone's purpose; of course not. But sometimes, if we don't take a very hard look at the legislation, there are impacts and implications which we just didn't recognize and fully appreciate.

1130

I take a look and use this first section of the bill, because we have to recognize that it is actions which have been taken after a custody order has been granted. In other words, a judge has already decided what is in the best interests of the child. A judge has taken a look at the child, has listened to the child, has listened to all those in and around the situation and has made an order, and I very much believe that those orders must be embraced as being in the best interests of the child.

I get concerned about any section in any legislation, not just here but anywhere else, which tries to erode a judge's order which is made in the best interests of the child. I know we don't want that to happen, but I sometimes think that maybe a very strict reading of this section could in some way erode a judgement which has already been made in the best interests of the child.

We of course want to make certain that the relationships between a child and his or her parents and his or her grandparents are as best as well nurtured and continued, and it doesn't just apply to parents and/or grandparents but to others as well. I think that there are many who believe that that type of relationship is important to the growth and wellbeing of the child.

We have to be very careful in terms of legislation that the words do not have an impact that runs contrary to the purpose, so I have some significant concerns with this

particular section of the bill. That is why I believe the bill should move to the committee stage, that it should be moving from this reading to the committee stage whereby we can get more information to make certain that we do not pass a piece of legislation which runs contrary to the best interests of the child.

What we want to do is make certain we have a piece of legislation which has as its paramount purpose the best interests of the child and make certain in meeting that interest that persons such as parents, grandparents and others have a full opportunity of maintaining ongoing relationships with the child.

I think that there are some questions in and around some of the sections of the particular legislation and I'm hopeful that they might be cured at the committee stage. I think this is an extremely important issue that many people in this Legislature and out have devoted many, many years of their life to, and I look forward to the continuing debate.

**Mr Cameron Jackson (Burlington South):** I'm pleased to be able to rise in the House today and to participate in the debate on Bill 156, and I want to commend the member for Oakwood. In my nine and a half years in this chamber, this chamber has only to my knowledge had three occasions to discuss this very specific issue about grandparents' access rights in Ontario. I have had occasion to participate in each of those debates but I also had the privilege of examining the commentary and to determine in part why there's been such little progress in this legislation.

My colleague in the Conservative caucus made reference to the fact that both the former member for Oakville South, Terry O'Connor—members will remember him in this House—and the new mayor of Markham, the former member for Markham, Mr Cousens, tabled specific, focused bills on amendments to various legislation, including the Children's Law Reform Act, in order to improve, strengthen and acknowledge grandparents' rights.

I was intrigued by the commentary by the first speaker from Brampton from the former Liberal government who expressed concern about, "All you need to do is talk to your own Attorney General." I want to remind the House that back on April 26, 1988, the then Attorney General, Ian Scott, tabled a substantive bill dealing with access and custody.

Without getting into the politics of what happened, it's a gross oversimplification but it's clear in terms of family law reform in this province that when the government made concessions to women in terms of legislation for SCOE, support and custody orders enforcement, there was this resultant tradeoff with the disproportionate number of men who don't have access to their children with the Children's Law Reform Act amendments which Mr Scott got in.

Just at the outset, I found the whole process offensive that we were sort of gender-trading with children on the table, and clearer legal minds and social historians will have a field day with the last decade that we've wasted in this area without really resolving the issue for grandparents' rights.

When I revisited my notes from the day I was in the House, I noticed that the then leader of the official opposition, Bob Rae, had a lot to say about this when Ian Scott tabled it in the House. This may be enlightening to the member for Oakwood, but Bob Rae said, I'm quoting from Hansard of April 26, 1988, and the leader of the official opposition:

"I must confess to being continually troubled by an effort on his part," meaning the Liberal Attorney General, "to legislate reasonableness in this very difficult question of access." He went on to say, "I hope very much that the Attorney General will agree that this bill is something that should be discussed widely in the House and should be referred to committee."

I want to say that when Bob Rae was in opposition, he clearly was saying, "I don't have much confidence in the unreasonableness section of this bill," which Mr Rizzo has put into the legislation. It's the same clause that Terry O'Connor and Don Cousens put in their legislation, but Bob Rae has already indicated his concern about that clause, and perhaps that's one of the reasons this is not government legislation, but in fact a private member's hour.

My colleague Mr Cousens on January 4, 1989, made reference in what I thought was an impassioned speech on behalf of grandparents when he went on to suggest, "I have to look at the business of highlighting the importance of grandparents, especially the parents of those who do not have custodial rights of children." He went on to say, "I do not think we understand the agony that has gone on in the hearts and minds and families of grandparents."

If you go through the stages of a marital breakup, and he had specific examples that he wanted to talk about—in this case in Hansard he said the grandparents became the neutral ground on which the child was placed until the parents had finished their fighting over custody, and after four months of being resident and being raised by the grandparents, the child was removed by court order and the grandparents never, ever saw that child again. But clearly my colleague Mr Cousens was speaking up, as Mr Rizzo is today, on their behalf.

I then want to remind members of the House that this issue resurfaced on December 7, 1989, and that's when the member for Etobicoke-Humber, Mr Henderson—and I want to place this in context, because I wish the Liberal member hadn't taken the cheap shot at the government, because it's the same cheap shot that could and therefore must be labelled at the former Liberal government.

Here we had an Attorney General, Ian Scott, who wasn't prepared to make these amendments, and Mr Henderson, wallowing in the back benches of the government, brought forward a resolution which made specific reference to the rights of grandparents and access rights. So it seems that this is a process that continues to go on and it's not being dealt with.

The first NDP Attorney General of this province in its history, Mr Hampton, who is currently a member of the House, spoke on that day at length, and I want to quote from his debate and his contribution to the singular efforts of Mr Henderson as a private member with his

own government. I'll quote from the member for Rainy River:

"Grandparents also figure in this calculation. I want to say to the honourable member that I do not think this is the way to go for grandparents either. I think there is an option for grandparents. There is a way the existing law could be amended so that grandparents would receive some recognition. As it is, the Children's Law Reform Act basically says that anyone is entitled to custody of a child and access to a child if it is in the best interests of a child."

He goes on to talk about, "All one needs to do, I think, is to put into the Children's Law Reform Act a clause that creates a rebuttable presumption, a clause that could say it would be presumed to be in the best interests of the child that grandparents have access to the grandchildren, but it would be a rebuttable presumption."

1140

Now, I want to pause there because clearly that is what Mr Rizzo has in his bill, that was what the Attorney General for two and a half years in this province under an NDP government had publicly stated, and yet Mr Rizzo has been relegated to bringing forward a private member's bill. Mr Hampton, who went on to become the Attorney General, said for the record, as I say to the honourable member:

"I do not think this resolution measures up to the social policy issues that really have to be dealt with here, so I will oppose it and I expect that many of my colleagues who I have spoken to about it on numerous occasions will be opposing it as well."

For the record, that motion was defeated by this House with a specific reference to grandparents' rights.

Given that we have heard in debate in this illustrious chamber a very clear and detailed speech by the now Premier of the province, Bob Rae, with respect to the fact that this should go immediately to a committee of the House and be debated widely, I'd like to know if the Premier supports that today with his member's piece of legislation.

Very clearly for the record, we also hear from the Premier that on this whole question about unreasonableness, which is the test which is being placed in this bill, the Premier has serious legal questions and doubts in his mind. We hear from the Attorney General of the day, Mr Hampton, who had two and a half years in order to bring in this legislation and chose not to, but we clearly have his reasons in Hansard as to why he's not prepared to go that far.

I want this information on the record because, quite frankly, the issues involved here are to a degree complex but they are simple if we consider a simple principle that, in the delicate issue of personal relations, grandparents do not have the right to access to children that they would like to have and that they deserve to have and that we should be seeking in a public forum, through committee, opportunities to assist them.

**Mr Mills:** It is a pleasure to rise in support of my colleague's bill, Bill 156, An Act to amend the Children's Law Reform Act. I'm not speaking this morning as a



lawyer, as an expert on this legislation, nor am I going to get into bashing either of the other governments about what they did and what they didn't do when they were in office. What I'm going to talk about is personal. I am a grandfather of several children and I'm going to bring that perspective into this debate here this morning.

I have always thought that there's something wrong with a system whereby a couple get married and they enjoy a relationship that includes grandparents and then suddenly that relationship goes sour, and because of some court order or something that's done by law, those grandparents are then excluded, sometimes forever, from ever having contact with their grandchildren again. I think that's awfully sad.

I know in my own instance I feel that my wife and I interact very well with our own grandchildren in the crises in their lives. I know that we get phone calls and they come over and they talk issues through that are troubling them and we most often are able to resolve them. In fact my children come to me and say: "How come you've got all the answers now? When we were your children, how come you never had these answers or this wonderful philosophy that you've got on life now?" That philosophy, that learning comes about through living a long time.

I know that there are some technical details from a law point of view about this and about the courts and all that, but I'm prepared to support this on the merits as it is placed before us today, that is, that grandparents, in my opinion, do have a right to access their grandchildren and they do have a right and they do play a great psychological role in the way their lives develop.

Now I'm going to go across the Atlantic Ocean and we're going to go to London. We all know and we've read in the paper the tremendous difficulties that the children of the royal family are having. I think it's a well-known fact that the person that they turn to most for advice and as a mentor is the Queen Mother, so we have a precedent at perhaps the highest level in the land—

#### *Interjection.*

**Mr Mills:** My colleague from Ottawa Centre says, "Well, that hasn't worked out all that good." But nevertheless, it's a well-known fact that His Royal Highness the Prince of Wales often goes to discuss his problems with the Queen Mother, his grandmother.

I know that two of my colleagues want to add to this debate. Without much ado, I'm going to sit down and let them have that opportunity, although I could go on for quite a while about what I see as the merits of my colleague's bill.

**Mr Drummond White (Durham Centre):** I rise with some interest and excitement to speak to this issue because I have for many years worked with families who are in the process of breaking up. That process of breaking up, that process of separation, is one where the children's interests are often lost because a couple is in a fight, a division in that small family. When that division occurs, their extended family become warring camps, one side against another. None of those camps can easily see what the best interests of the child are.

If separation and divorce are hell, certainly the family court and that process only serves to stoke that hell. Rarely, in my experience, is the larger family considered, and that larger family, when a separation occurs, becomes directly involved with those children. Those children whose parents are often subsumed with their conflict with each other are nurtured and supported by that wider family and by our community as a whole. As our province and our community as a whole move to assist children like these who are in these turmoils, it only behooves us to look with a broader and more intelligent, more sensitive eye, to their needs.

I think my friend's bill speaks to this, because frankly, grandparents are important. You think of a nuclear family splitting up and let's say, typically the mother leaving the father or the father leaving, but that mother and children being there on their own. We think of a smaller family and yet what really happens is that that mother often is much more supported and in much more frequent contact with her parents and her broader family than ever before. Often she and her children are living with them or directly financially supported by them.

We have to recognize that there are many different family forms, and the more that we recognize the extent and the richness of family life in our province, the more those children will be supported. It is not an issue of the grandparents' right to access; it's a right of the children to have the widest possible level of support, nurturing and affection they possibly could.

When I hear of doors being closed, of windows being shut for those children, there has got to be a very good reason for that to occur. I think my friend's bill speaks to opening doors, to allowing more people in to support those children, people who would otherwise be shut out often by the warring camps that are established in a divorce or separation situation. I think it behooves us to open these doors when families are going through this very difficult process within the courts, because the courts, after all, are the final arbiter.

In these times, when we have so many families going through that process of separation and divorce, somewhere in their lives they can have that model brought forth to them of an opening of the establishment of a greater level of contact for those children. They are the paramount issue here. I would like to again compliment my friend and I look forward to hearing the comments of my friend from Ottawa Centre.

1150

**Ms Evelyn Gigantes (Ottawa Centre):** It's good to have this debate here this morning, and I welcome the introduction of this bill by my colleague so that we can discuss the issues which he's raised in this forum.

I think that we all understand that the issues are issues which arise when families are in turbulence and turmoil and terrible trouble, because that's the point at which families go to court. Families can choose to take different paths. Families can separate among their membership. Families can come to agreements outside of formal undertakings under our legislation, and in many cases families do that, but when they get to court, that's when these issues arise.

I think that in Ontario the discussion we've had over the years about what should be foremost in the minds of the people responsible for making decisions in such cases is the welfare of the child, and I think that has been spoken to quite eloquently by members of my party and parties opposite. It's a very fundamental part of our approach to what happens when a family is in real trouble and the law is called in, as it were, and we say that what happens in terms of the children is before the judge, on the principle that the welfare of the child is the determining factor.

The issue that has been raised in the introduction of the private member's bill we're dealing with this morning, Bill 156, is, is there a place to instruct the judge on questions of access and custody that the interests of the grandparents should be involved? We can express it either as the interests of the grandparents or as the interests of the child in the relationship with grandparents. If we express it in terms of the interests of the child in relationship to the grandparents, I think that what is currently before courts in Ontario under our existing child welfare legislation is the interests of the child, and that will be considered fully and that will include the interests of the child in relationship to the grandparents.

There are many people in Ontario who over the years have decided, in one case or another, that the decisions made in our courts and made on the principle of the interests of the child have not been well made, and there are grandparents among those groups. But I think for us now to take Bill 156 forward and have discussion in committee of the whole will bring forth a deeper discussion of these issues and I am prepared to support it on those grounds.

**The Deputy Speaker:** The member for Oakwood has two minutes for his reply.

**Mr Rizzo:** Mr Speaker, I don't know if I could give a few seconds of my time to my colleague from Yorkview. Could I?

**The Deputy Speaker:** Is there unanimous consent? Agreed. The member for Yorkview.

**Mr George Mammoliti (Yorkview):** Thank you, the member for Oakwood. Very, very quickly, we talk about the interest of the children and it should always be the interest of the children, but I'm a firm believer that the interests of the children, in most cases, is to see their grandparents. I think that in this place sometimes we lose track of a lot of things in passing legislation, and we worry a little bit too much about technicalities and perhaps what precedent this might cause. I think if it sets any precedent, it's a precedent worthwhile setting in that that child will probably grow up in seeing their grandparents and living a wonderful life, and learning the morals and the values that grandparents can only teach.

**Mr Rizzo:** I want to thank first all the members of this House who participated in this debate and particularly the members for Simcoe East, Brampton South, London South, Ottawa Centre, Mr Cam Jackson, Steven Offer, and the members for Durham East and Durham Centre.

I appreciate their contribution to this particular bill, but

I want to emphasize in the last 20 seconds that are left for me that this bill was addressed really to the best interests of the child, but what this bill is saying is that there is a big difference between being grandparents and being any other person. Grandparents are your parents' parents and so they are family, they are blood and they are the ones who are closest to the children after the parents.

**The Deputy Speaker:** The time provided for private members' public business has expired.

MUNICIPALITY OF METROPOLITAN TORONTO  
AMENDMENT ACT (STREET VENDING), 1994

LOI DE 1994 MODIFIANT LA LOI  
SUR LA MUNICIPALITÉ DE LA COMMUNAUTÉ  
URBAINE DE TORONTO (VENTE DANS LA RUE)

**The Deputy Speaker (Mr Gilles E. Morin):** We will deal first with ballot item number 71, standing in the name of Mrs Caplan. If any members are opposed to a vote on this ballot item, will they please rise.

Mrs Caplan has moved second reading of Bill 183, An Act to amend the Municipality of Metropolitan Toronto Act. Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 94(k), the bill is referred to the committee of the whole House.

CHILDREN'S LAW REFORM  
AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI  
PORTANT RÉFORME DU DROIT DE L'ENFANCE

**The Deputy Speaker (Mr Gilles E. Morin):** We will now deal with ballot item number 72, standing in the name of Mr Rizzo. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Rizzo has moved second reading of Bill 156, An Act to amend the Children's Law Reform Act. Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 94(k), the bill is referred to the committee of the whole House. Agreed?

**Mr Tony Rizzo (Oakwood):** Mr Speaker, can I ask permission to send this bill directly for third reading? Unanimous consent.

**The Deputy Speaker:** Agreed? It's not agreed. There's no consent at all.

**Mr Rizzo:** Can I ask for it to be sent to the justice committee?

**The Deputy Speaker:** Is the majority in favour? Those in favour will please stand. Those opposed will please stand.

The majority of the group is not in favour; therefore the bill is going to committee of the whole.

**Mrs Elinor Caplan (Orlino):** On a point of order, Mr Speaker: Just to clarify for myself and those who are interested in my bill, it automatically goes to committee of the whole; is that correct?

**The Deputy Speaker:** Yes.

All matters having been debated, I will now leave the chair and the House will resume at 1:30 of the clock this afternoon.

*The House recessed from 1158 to 1330.*



## MEMBERS' STATEMENTS

RAY TWINNEY

**Mr Charles Beer (York-Mackenzie):** Last night in Newmarket several thousand people gathered to pay tribute to Ray Twinney, mayor of Newmarket. For the last several months Ray has been fighting a courageous battle with cancer. The purpose of the tribute in honour of his retirement was to rename the Newmarket Recreation Complex as the Ray Twinney Recreation Complex.

Ray was born in November 1935 and raised and educated in Toronto. He arrived in Newmarket in 1960, entering politics in East Gwillimbury in 1965. In 1970 Ray was elected to Newmarket town council as a regional councillor, serving in that capacity until 1978. In 1979 he was elected mayor of Newmarket and has been returned as mayor each successive council term to the present, making him Newmarket's longest-serving mayor to date, a total of over 15 years.

Being fond of local organized sport, Ray Twinney owned and/or co-owned and operated many successful local teams, including the Newmarket Ray's Fastball, Legion Ray's Oldtimers Hockey and the Newmarket Flyers Junior Hockey teams.

In 1988 the dream of a professional class community recreation centre became a reality under his mayoral leadership. Newmarket's recreation complex was constructed, becoming the venue for many local sporting events, including the home to AHL and OHL hockey.

I would like to thank Ray for his lengthy public service on behalf of the residents of Newmarket and the numerous accomplishments he achieved during his 29 years in office. I know everyone will join with me in wishing Ray, his wife, Thelma, and his family the very best for a full recovery.

FRED HEALY

**Mr Leo Jordan (Lanark-Renfrew):** I would like to pay tribute to Fred Allan Healy, who passed away suddenly on Friday, November 18, as the result of an accident. As we pay our respects to Mr Healy, I would like to acknowledge his tremendous legacy in service to his community, to his province and, above all, his devotion to family.

Fred was born and raised on a century farm in North Elmsley township, county of Lanark, on which he and his son Brent operated a dairy farm and were members of the Lanark county milk committee.

Fred served on the township council from 1973 and was reeve from 1977 to 1988. He was elected warden of Lanark county in 1983. As warden, Fred was instrumental in the development of the new county administrative building and is remembered for his many successful county projects.

He was a valued member of the Smiths Falls Rotary Club, Rideau Valley Conservation Authority and St Andrew's United Church at Port Elmsley.

On the provincial level, Fred served as director and vice-president of the Ontario Good Roads Association and was recently re-elected as a director to the Ontario Milk Marketing Board as the representative for Lanark, Renfrew and Carleton counties. In this capacity, Fred

helped revamp agricultural education in the classroom by creating dairy educators.

Ontario Milk Marketing Board president John Core said, "Mr Healy always thought about dairy policy in terms of how it affected the individual farmer."

I will close by offering my deepest condolences to the family: Jean, Quentin, Alannah, Mariah, Laurie, Chito, Brent and Leona. "He will be missed," said his daughter Jean. "Family was always first."

WASTE DISPOSAL

**Mr Ron Hansen (Lincoln):** Read my lips: No new toxic waste incinerators. In 1980, the Bill Davis government decided that Ontario needed a permanent toxic waste treatment facility and Ontario Waste Management Corp was born. Since then, taxpayers have shelled out more than \$130 million studying OWMC's harebrained scheme to burn and bury toxic waste in the Niagara Peninsula.

When West Lincoln was chosen as the preferred site in 1985, the residents of Niagara immediately declared war on OWMC, and I was right there with them. In 1989, EA hearings began. We finally got a decision yesterday, and it was just what we were hoping for. The consolidated hearing board said no to the OWMC's toxic monstrosity.

That doesn't mean we're out of the woods yet. Appeals can still be filed with cabinet within the next 28 days. If that happens, I guarantee my knuckles will be raw from knocking on cabinet's door to tell them that Ontario cannot afford to waste \$300 million on OWMC's toxic white elephant and to remind them that there's overwhelming evidence that it's not even needed. Since 1980, industry has learned to reduce toxic waste through recycling, and in the meantime new Canadian technologies have been developed that would allow industry to treat toxic waste onsite.

Not long ago, we banned the incineration of garbage. Why not toxic waste too? It looks like OWMC's monster is dead, but I'm going to wait until the appeal period is over before I dance on its grave. Until then, I'll be a sentry at my post on the issue.

In closing, Jim Green, West Lincoln's town crier, often says, "God save the Queen and God help West Lincoln."

LEADER OF THE THIRD PARTY

**Mrs Yvonne O'Neill (Ottawa-Rideau):** Over the weekend I was stopped in my tracks to read about the unveiling of a new politician in Ontario. He's the kinder, gentler Mike Harris.

It sure looked like Mike Harris was on his very own road to Damascus when he was converted from Mike the Slasher to Mike the Bleeder. But don't be fooled: Mike the Bleeder is still Mike the Slasher at heart. He's just wearing a new image. Underneath he's still Attila the Un, as he liked to call himself a couple of months ago.

Mike the Bleeder is going to fight the deficit by attacking those who are most vulnerable, just like Mike the Slasher. Mike the Bleeder is going to take away money from the more than half a million children whose parents are on welfare. Over half of these children are under 10. Mike the Bleeder is going to force parents on welfare with four- and five-year-olds to return to work.

All this with no real plan for job creation.

I ask, is Mike's conversion due to a change of heart or direction, or is it a recognition of reality, an acknowledgement that he has run into a blank wall at the polls?

#### LONG-TERM-CARE REFORM

**Mr Cameron Jackson (Burlington South):** I want to share with all members of the House a letter sent to me and to my Conservative colleagues.

"As a senior of 83 years and fairly frail just now, I have had a great deal of TV-watching time and have been impressed by the amount of energy and effort you and your party members have put in both in the committee sittings and on the floor of the House on behalf of frail seniors and disabled persons. When I couldn't watch during the day, I tried to get the program at night.

"I will never understand just how we have been so hoodwinked by the NDP government. They talked about wanting to hire only from not-for-profit organizations. The VON, the Red Cross and others have always been not-for-profit. I only wish it had come up at the beginning of the committee hearings that the MSAs really mean unionization for the workers.

"You and the others who have worked so hard to get the clauses re 80-20 changed deserve so much praise for your efforts, I just had to write and tell you how much it was appreciated not just by caregivers but many seniors who had nothing whatsoever to do with the Senior Citizens' Consumer Alliance for Long-Term Care Reform."

That's signed, "Sincerely, Mrs Margaret Elliott."

I read this letter into the Hansard record on behalf of the Ontario seniors who feel that Bob Rae and his government are not listening. Bill 173 is too vital and too important to our seniors. Bob Rae should have amended Bill 173 to thank Ontario seniors and their years of contributions to our society rather than thanking the labour unions for their years of contributions to the NDP socialist party.

1340

#### GUN CONTROL

**Mr Larry O'Connor (Durham-York):** I rise today to invite my colleagues to a press conference next week, a press conference that is on gun control as a public health issue. I think they'll find that it's a very educational session at that press conference, one that Dr Isaac Sakinofsky, the head of suicide studies at the Clarke Institute of Psychiatry, will be at and one that Dr Brian Rowe, who is the research director of the Sudbury General Hospital, and Kathy Willis, the executive director of Rosewood Shelter, will be at.

The purpose of it is to educate people about gun control and to encourage them to get into the debate. As we enter this debate with the government in Ottawa, we need to make sure that people know exactly what the issue is that we're dealing with.

I want to make sure that my colleagues know that, for example, almost half of the women killed by their partners are shot, and well over the one third for the general population. Most of these are committed in the home of the victim: 85% are committed with an ordinary

hunting rifle or shotgun, and 78% of the guns used are legally owned.

The gun lobby is just about exclusively a male-dominated lobby and the rallies are attended in large numbers by men.

I encourage all my colleagues from all sides of the House to attend this, because I think they'll find this is a very educational forum, and I encourage them to get involved in the debate, because gun control really is a health issue.

#### MAGNETIC RESONANCE IMAGER

**Mr James J. Bradley (St Catharines):** The long, exhausting struggle incurred by the residents of the Niagara region in their efforts to have a CAT scanner located in the Niagara region is still a vivid memory for most local residents.

The government has recently announced that it would expand the number of MRIs—high-tech diagnostic devices that act like enhanced X-ray machines—in Ontario from 12 to 34, including five more for the planning region that encompasses the Niagara region.

I trust that the government will not involve itself in any unnecessary delays in overseeing the implementation of this resource in the Niagara region, given the dire need for it in the area as well as the preparations that have already been made in anticipation of its arrival.

The St Catharines General Hospital has already drawn up blueprints for the planning and installation of an MRI machine and has actively pursued and hired staff based on their expertise in the field of MRI radiology.

Given the crucial role that MRI technology plays in the diagnosis of soft-tissue ailments related to the brain, the central nervous system and other difficult orthopaedic cases, it is unacceptable that we currently have one MRI machine servicing a designated area of over 1.4 million people.

This current arrangement has produced undue hardships on those who have been in need of these kinds of diagnostic treatments. Patients in the Niagara area have been forced to incur great financial hardships through the purchasing of this treatment in the United States or enduring the long and painful waiting periods for treatment here in Ontario. I call on the Ontario government to act in a caring and expeditious manner.

#### NURSERY SCHOOLS

**Mr Allan K. McLean (Simcoe East):** My statement is for the Premier, and it concerns a letter written to him on October 17 by Mr Robert Evans, trustee, Simcoe County Board of Education. Mr Evans urged the Premier to reconsider the mandating of junior kindergarten.

Mr Evans and I believe we must do the best we can for the children of Ontario. To accomplish this goal, it is our view that nursery schools are preferable to junior kindergarten for the following reasons:

(1) Nursery schools have smaller class sizes to enable closer attention to the children.

(2) A nursery school has one teacher and two other adults, while a junior kindergarten class has one teacher and no other adults.



(3) The nursery school program is a half-day program provided three half-days per week, while many junior kindergarten programs are provided on the all-day, alternate-day system.

(4) In nursery schools the teacher works directly with the parents, while junior kindergartens are supervised by principals, supervisory officers, directors of education and school boards.

(5) Nursery schools can be accommodated economically, while the cost of adding and equipping a junior kindergarten to a school is about \$280,000.

(6) It costs about \$700 per year to educate a child in nursery school and it costs over \$3,000 per year in junior kindergarten.

(7) Many of our schools are overcrowded and it will be difficult to accommodate junior kindergarten classes.

The government's policy of mandating junior kindergarten will result in cuts to the rest of the education system, and the equality of education is sure to decline.

I join with Mr Evans in urging the government to encourage nursery schools rather than mandating junior kindergarten.

#### CHILD DAY

**Mr Mike Cooper (Kitchener-Wilmot):** I rise today to share with the members of the Legislature how the Waterloo region is celebrating its first national Child Day on November 20, 1994.

National Child Day was proclaimed by the government of Canada in 1993 and it is occurring annually on November 20, the anniversary date of the United Nations Declaration on the Rights of the Child in 1959 and the Convention on the Rights of the Child in 1989.

National Child Day is more than an historic commemoration. It's a day for everyone to celebrate children for just being themselves, an opportunity to remember that children need love and respect to grow to their full potential. It's a day to listen to children, to see the world through a child's eyes.

Waterloo region is one of the leading communities in Canada to recognize this new national day for children, and close to 50 different organizations have joined forces to plan a week of celebration and fun activities led by the regional community health department.

The goals in celebrating national Child Day are to raise public awareness about the day and promote everyone's sensitivity to the special care and nurturing all our children need. May I remind the members of this Legislature that we need to recognize national Child Day, but our children need this and much more 365 days a year, every year. We must, as legislators, encourage and promote this every day.

#### FIREARMS SAFETY AND CONTROL

**Mr Peter North (Elgin):** My statement is to the Minister of Natural Resources, the Solicitor General and the Attorney General.

Last evening I had an opportunity to attend a community forum in Elgin county, in the village of Rodney, dealing with the issues of firearms and gun control. This meeting was well attended by both men and women and

a number of issues were discussed. I want to tell all members that there is great concern in rural Ontario for firearms safety and the regulation of firearms. There is also great concern for a fairness and recognition in those laws and regulations for the many firearms owners who have practised these principles for years.

Firearms owners and rural residents are very disappointed in the fact that this recognition is not apparent in the present firearms acquisition certificate application procedures. They very much wish to see a grandparenting clause included such as there is in Quebec for the firearms owners who have demonstrated their capabilities and responsibility with firearms for many years. This resolution was supported unanimously.

They also were very disillusioned with the ammunition bill and felt that this bill served no real purpose other than a resource for government later in the full registration of firearms. This bill also had no support.

There were also concerns raised about native issues and the concern over the use of high-power weapons and trespass laws. These concerns, however, were not limited to native groups but were related to the enforcement resources for the MNR and the inability to prosecute on charges that are laid and then later dropped. These issues are still of great concern, and the feeling is that the areas of conservation and public safety are still being overlooked in the interim enforcement policy agreement agreed to by the government and native communities.

Finally, there was lengthy discussion about the federal legislation coming forward, and it was clear that there is no support for Mr Rock and the views he is putting forward. People in rural Ontario feel that the pressure from large urban centres to press ahead on gun control does not take into account their concerns and needs and they are extremely upset about this.

I was told that on average 85% of the charges laid under section 85 of the Criminal Code are plea-bargained.

**The Speaker (Hon David Warner):** The member's time has expired.

#### STATEMENTS BY THE MINISTRY AND RESPONSES PUBLIC SAFETY

**Hon Ed Philip (Minister of Municipal Affairs):** I rise to make a statement on behalf of my colleagues the Solicitor General and the Minister of Consumer and Commercial Relations and myself as Minister of Municipal Affairs.

Later this afternoon, I will introduce for first reading a bill that will help municipalities and police control late-night businesses and make neighbourhoods safer. Because this issue is of such importance, I am hoping the bill will have the all-party support it will need in order to pass during this legislative session.

Let me give the members some background. For several months now, we've been hearing concerns about certain businesses—and I emphasize only certain businesses—that operate late at night. We've read reports of shootings in or near after-hours clubs. It is well known that some late-night businesses have become hangouts for drug dealers. People are becoming increasingly concerned

about the activities of people going in and out of these businesses.

Last June, my colleague the member for Fort York, Rosario Marchese, introduced an excellent private member's bill to give Metropolitan Toronto greater licensing powers over late-night businesses. That bill would have gone a long way towards helping Metro deal with its problems. This fall, though, a young woman was killed outside an after-hours club in London. It was apparent that the problem was not limited to Metro, and last month the Premier promised quick action.

We've consulted with the police and other enforcement agencies, with municipalities and with community groups. Today's initiative will enable police, municipal agencies and communities to work closely together to prevent activity that presents a real threat to the public. We've expanded considerably Mr Marchese's excellent private member's bill that I referred to earlier.

The legislation I'll introduce later this afternoon will strengthen both liquor licensing and municipal licensing powers. It will increase powers to deal with those businesses that have become the centres of criminal activity, while protecting the rights of legitimate businesses.

1350

Let me take a minute to outline what's in the bill. The bill strengthens police powers under the Liquor Licence Act in a number of ways to allow them to close down illegal "booze cans." In places where it is suspected liquor is being sold illegally, it will allow the police to enter the premises and order the people to leave. It will allow them to seize liquor being sold illegally, the profits from the sale of liquor, and any equipment, such as tables, chairs, restaurant equipment etc, used in the commission of an offence. It will also allow the police or the LLBO employees to revoke a special occasion permit on the spot if liquor laws are being broken.

The bill also strengthens municipal licensing powers in a number of ways. It allows the licensing body to revoke, suspend or refuse issuance of a licence after a hearing and to impose operating conditions on individual licensed establishments, including limiting hours. It will allow courts to close establishments convicted of contravening a municipal licensing bylaw.

It will increase the maximum fine for municipal licensing infractions from a maximum of \$5,000 to \$25,000 for individuals and \$50,000 for corporations and allow a business's equipment to be seized for non-payment of the fines. It will allow for the honesty and integrity of a licensee to be considered as part of the criteria for a licensing decision.

While these measures give municipalities more means, more power if you like, to deal with trouble spots, there are some other things the government intends to do.

The Minister of Consumer and Commercial Relations will amend regulations to better control the granting of special occasion permits and to permit information to be shared with police to allow them to take a proactive role in heading off events they have reason to believe will pose threats to public safety in a community. As well, we will encourage better coordination and cooperation among

enforcement agencies and community groups to help combat the problem.

I want to thank Michael Thomas of the Toronto East Downtown Residents' Association; Frank Parkhouse, president of the Ontario Association of Chiefs of Police; Bill Mickle, president of the Association of Municipalities of Ontario, and so many others who have given us input and some very solid advice and who were present at the press conference this morning in support of this bill.

The violence and crime that have been associated with late-night businesses have to stop. This legislation and the supporting regulations will make Ontario communities safer. We are giving back communities to the people who live there.

**Mr Tim Murphy (St George-St David):** I appreciate the opportunity to talk on this issue. I'm always confused and surprised by what it is that eventually motivates this government to finally act. Metro council recognized the crucial importance of this issue in 1990 and, frankly, the situation has gotten worse, not better, since then. My leader has raised this issue in the House, my colleagues have raised this issue in this House, and it seems to show that that's what it takes finally to prod this government into action: to keep pressing, pressing and pressing. I give my colleague, for example, from Lawrence credit for doing that in this House.

There are a series of issues that we need to look at. In this, they're giving police more powers, and I think that's appropriate to do. The question, and what I'd like to hear from the police, is whether they have sufficient resources to do that job. In Metropolitan Toronto, for example, they are over 700 officers short of the complement they need to do the job well. That's what I hear in my community; I'm sure that's what other members are hearing in their communities. Whether they have the resources to do the job is what I'd like to hear from police forces.

We've also heard from some business associations in this province about their concern about some details and aspects of the municipal licensing provisions. We'd like an opportunity to hear them, so here's the commitment that we make. We will work with the government to pass the bill. We, however, want and must have committee hearings. The government on other issues has previously provided committee hearings when appropriate. For example, on the market value assessment bill we sat on Fridays and weekends. We can do that to make sure that we hear what we need to hear from municipalities and businesses across this province, to make sure that crime is reduced.

The key thing is that we have got to make sure that what we pass in this House focuses on deterring the criminals and the bad guys and doesn't unnecessarily impact on the good guys.

**Mr Joseph Cordiano (Lawrence):** I'd like to add that this is not a partisan debate. In fact, all members of the House would support these initiatives and I think that all members would want their communities to be the safest places in which to live. I think that a community such as mine, which has had to cope with various clubs in it that have been operating in a fashion that would lead



to the kind of violence and criminal activity we've seen over the past number of years, looks forward to action taken by this Legislature to bring forward this piece of legislation.

I want to say also, adding to what my colleague has said about committee hearings, I think it's important that we have a quick, speedy committee process—let's be clear about that—in an effort to make this legislation the best it can be and in an effort to give municipalities the real clout and the real authority they need to act in this regard.

We need to ensure that the legislation is watertight and sound. I believe that having committee hearings will ensure that. We can do that and get the bill passed before the end of this session. Nothing will get in the way of that. My colleagues support that. I believe that is the only way to ensure good, proper and appropriate legislation is passed and I'm sure that my colleagues in the Conservative Party would agree with me when they also get up and support legislation which would see a strengthening of powers and authority to municipalities to close down these places.

I suppose it would be prudent to add that the police would also be in favour of this legislation, but they would also like to see additional resources allocated to ensuring that communities are safe.

**Mr Ron Eddy (Brant-Haldimand):** Our leader and the Liberal caucus have called for such legislation to restore the rights and safety of our citizens in many communities across Ontario for years. I chastise the government for taking over four years to bring forward this important announcement. Over four years ago it was proposed; we were told in the announcement today it was over four years ago that it was requested. I believe that this is one of the most important announcements made by the government since its election and I am shocked and disappointed, indeed ashamed to be a member of a House that took so long to bring forward this important legislation for the safety of our citizens.

The municipal governments and the police forces across this province have been crying for the tools to do the job. Finally, they're going to be given some of the tools. It's important and let's get on with it.

1400

**Mr Charles Harnick (Willowdale):** About three or four weeks ago the Liberal leader jumped up and thought she had a big issue here and she was going to score some big political points on this issue.

I'd like to tell you that in February 1987 the then Liberal government, in a report called the report of the Advisory Committee on Liquor Regulation, known as the Offer commission, at that very time recognized that there was a problem with after-hours clubs. You know what they did? For the three and half years that were left in their mandate before the people of Ontario rightfully threw them out and put them where they should be, they did absolutely nothing. Their leader stood up and crassly tried to score political points on something that she was in the cabinet and could have done and sat and did nothing—a cheap political manoeuvre.

Let me just deal with the legislation the minister has put forward, because I'm running out of time. This piece of legislation is really very much a Band-Aid solution. I've looked at the Municipality of Metropolitan Toronto Act and most of what is now being proposed is either available through that act now or within the Liquor Licence Act.

The difficulty that you have in this particular situation is that you are very much trying to regulate something that is illegal from the very outset. You can't regulate something that's illegal. If someone is selling liquor without a licence in a place without a licence, after hours without a licence, it's illegal. You can't regulate what's illegal.

The only way you can effectively deal with this problem—and I mean effectively—is to give the enforcement powers the resources to close up places that are operating illegally, to arrest people who are selling liquor illegally, to break up drug deals that go on in these places and outside these places.

These places exist for one purpose and it's illegal. It's to make money by selling liquor when you don't have a licensed premise. If you have a licensed premise, we have the tools to regulate it. The problem here is that what is being done is purely and totally illegal and there is not one thing in this package that is giving police greater resources to do the job.

**Mr Robert W. Runciman (Leeds-Grenville):** We heard the minister say at the conclusion of his statement, "giving back communities to the people who live there." That is self-congratulatory pap, at best, and certainly a gross exaggeration. The reality is this is a very modest step indeed. Essentially it's window dressing. It's smoke and mirrors to cover up this government's inaction in terms of dealing with the very tough issues facing our communities right across this province.

We can talk about policing and manpower. We talked about Toronto. Metropolitan Toronto is about 800 officers under strength right now. You can go out into the regions of this province—in district 10, for example, between the hours of, I believe, 7 at night until about 6 in the morning, we have eight officers covering almost 11,000 square miles, supposedly protecting 275,000 people.

In other areas of eastern Ontario, and my colleague from Stormont, Dundas and Glengarry has a similar situation, we're closing down OPP detachments. We have very few officers to cover the province and provide security for Ontarians, and this minister has the gall to get up and say that this modest measure is going to give back communities to people who live in them.

What they could be doing is dealing with the Young Offenders Act, taking a strong position in respect to removing 16- to 18-year-olds from the Young Offenders Act. But your Attorney General fails to act. We could be unplugging the courtrooms so that people accused of rape are not walking free in the streets. We could be introducing a victim's bill of rights, which you have refused to do and the previous Liberal government refused to do. We could be bringing in amendments to the Mental Health Act to deal with dangerous offenders so we can ensure that they're kept off the streets.

If you want to do something meaningful about protecting the public in respect of law, order and security, those are the kinds of meaningful things that you could be doing. Instead, you've ignored them and brought in things like this almost meaningless piece of legislation, another thing like the bullet bill, which as a matter of fact has virtually no impact on the difficult situation facing the people of this province.

**Mr Alvin Curling (Scarborough North):** On a point of order, Mr Speaker: It's my understanding that the honourable member mentioned that Lyn McLeod was in cabinet and did not act upon that report. Lyn McLeod wasn't even elected at the time when the report was out.

**The Speaker (Hon David Warner):** The member does not have a point of order and he will know that.

*Interjections.*

**The Speaker:** Order, order.

### ORAL QUESTIONS

#### MINISTRY OF TRANSPORTATION CONTRACTS

**Mr Steven Offer (Mississauga North):** My question is to the Minister of Economic Development and Trade, in her capacity as the acting Deputy Premier. Yesterday the Deputy Premier made an undertaking to speak to the Premier about serious allegations that were raised by my colleague the member for Mississauga West. These allegations involved threats and intimidation by a union official who was raising money for the NDP.

As the minister is aware, the head of an Ontario construction company says he was approached by a senior union official. The official told him: "You are a big company and you should buy a table for the Bob Rae dinner. Make sure you buy some tickets or we will make lots of trouble for you." It has been confirmed that the Premier's office has obtained a copy of the letter containing the allegations by the owner of the construction company. The Deputy Premier told this House yesterday that he would discuss this matter with the Premier.

My question: Has this matter been investigated and what has been found?

**Hon Frances Lankin (Minister of Economic Development and Trade):** I can tell the member that in fact we share the concern of the seriousness of these allegations, but I would say again that at this point in time they remain as allegations.

The Premier and the Treasurer have had a conversation and there has been an attempt in the Premier's office to look through and determine whether or not we have received any complaint from this individual. I can tell you at this point in time there hasn't been a complaint raised. We would be hoping that if there is a copy of the correspondence or if there is a complaint that is being directed to the Premier, if the member has a copy of that he would share it with us. At this point in time we've had no official complaint.

**Mr Offer:** By way of supplementary, we have received information that this letter has been shared with the Premier's office. Minister, you will know that the actions not yet taken by your government seem to indicate that you do not take this issue seriously.

The Premier's public schedule states that he is supposed to be in the House today. The Deputy Premier told us yesterday he would speak to the Premier and report to the House. You are the acting Deputy Premier. Minister, these are very serious allegations and you have a responsibility, as acting Deputy Premier, to follow through on this issue, but it appears that the government is not taking the issue seriously.

The question remains: What specific steps have been taken to look into this situation? What has the Premier done to see whether or not the strong-arm tactics and threats were used to raise funds for a dinner in and on his own behalf in his own name?

This is a serious matter. These allegations have been very directly made, and we believe that it is up to you to respond directly to the very serious matter which has been raised.

**Hon Ms Lankin:** I take the matter seriously, the Deputy Premier takes the matter seriously, the Premier takes the matter seriously, and our political party takes the matter seriously, as does the member, obviously, by the tone of his question.

I would say to the member again, an allegation has been referred to in this House quoting from a report in a newspaper that is a report of a letter that was sent from a company executive to his lawyer with respect to a labour board suit of some sort involving this particular local union. We have checked at the Premier's office into whether or not we have received a complaint or a copy of that correspondence. We do not have that. We have not had this complaint made directly to us. All we have is a report of an allegation in a newspaper article, at this point in time, without any follow-up to that.

**Mr Offer:** By way of final supplementary, the question is that an allegation has been made. You are indicating at this point in time that as far as you are concerned you do not have any further information. What we require today, Madam Minister, is a commitment, a guarantee, an undertaking that you will on Monday report to this Legislature this whole matter: what was said, who said what, when it was said, and the results of your investigation. Will you give us a full, thorough report on a very serious matter that has been reported, and will you undertake to do so this coming Monday?

**Hon Ms Lankin:** No, I will not. At this point in time I'm not any longer going to suggest that the member is being genuine and sincere in his concern about this serious allegation. This is silly partisan nonsense going on.

We have not had a complaint made to the government with respect to this. A particular Toronto newspaper and reporter have reported that there was an allegation made in a letter between a company and that company's lawyer which is going to be used in evidence at a labour board hearing. It's very convoluted. I'm not sure at this point in time what the actual nature of the allegation is, whether or not it's related to that labour board case, whether or not it stands apart outside of that. I also have no information to suggest that the allegation is true.

I don't even know, and I'd ask the member opposite if he knows, if this individual actually felt strong-armed and



actually bought a ticket or a table at the dinner. We don't have the answers to that. We don't have a complaint that's been launched with us. So I think that this is silliness. I'm sure this is going to continue in order to try and get a sense of momentum. I'm not going to participate in that. The answer to you is no.

1410

#### FIRE SAFETY

**Ms Dianne Poole (Eglinton):** My question is for the Solicitor General. Minister, last Saturday a young constituent of mine, Sean Kells, age 19, suffered a very painful death, with burns to 90% of his body. Yesterday hundreds of people from north Toronto packed Deer Park United Church to say farewell to Sean. The questions they had were very basic: How could this have happened? How could this tragedy have been averted?

The cause of Sean's death is clear. At the place where Sean worked, he was pouring a highly flammable liquid called chipshield from a 45-gallon tank into 1-litre containers. There was either a spark or a buildup of static electricity causing an explosion. Tragically for Sean, part 4 of the Ontario fire code, entitled "Flammable and Combustible Liquids," contains no rules about the handling of such materials as chipshield. Instead, after 13 years, Minister, this section has one word: "Reserved."

I am convinced that had there been regulations in the Ontario fire code concerning this flammable substance, Sean would have been alive today. Minister, it's my understanding that the office of the fire marshal has had a draft document ready to go for some time, and yet the regulations are still not spelled out. In light of this tragedy, have you reviewed this report and are you now prepared to implement the regulations recommended by the office of the fire marshal?

**Hon David Christopherson (Solicitor General and Minister of Correctional Services):** I'm sure that all of us express our condolences to the family and are always moved when an individual dies, particularly in the workplace, as it was in this case. I know that I speak for all members of the House when I say that, from all the parties. I would also say to the member that the coroner has called an inquest, so of course I'm limited as to what I can say with regard to the specifics of this case.

With regard to part 4 of the fire code, the member will know that the code was enacted in 1981, and at that time a decision was taken to place that on reserve, given that all of the regulations were not ready, which is not unusual when legislation of that complexity is being proposed, and that the fire marshal's office undertook, with the support of the government of that day, to work on the priorities of the regulations that they best could enact and those that they felt would have the greatest immediate impact on the public.

In 1987, one of your colleagues, a predecessor of mine, circulated the draft regulations, which run some 100 pages. Those draft regulations are available for fire services to use in issuing a fire marshal's order and are available for them to know the kind of guidelines that the fire marshal is suggesting be looked at, notwithstanding that they aren't regulatory law.

The last point I'll make, and then I'll add more during the supplementaries, is that the Occupational Health and Safety Act in many areas overlaps much of what the fire code does when it pertains to workplaces. I understand from talking to the fire marshal's office that indeed in this particular area there are quite a number of overlaps, and I think we may see that show itself as this particular case unfolds.

**Ms Poole:** Minister, first of all I will convey your sympathy to Judi and Paul Kells, but I think they need more than sympathy from the legislators in this building. They need some assurances. I am aware that some of the safety regulations are covered under the health and safety act; however, after talking to the fire marshal's office, I've been advised that those regulations are not nearly as comprehensive as what would have been included in part 4 of the Ontario fire code.

We're also aware that a coroner's inquest has been called. However, calling a coroner's inquest is no guarantee that their recommendations will be carried out. Do we have your commitment today that you will prepare without delay draft regulations so that once the coroner's report has been received, you can act immediately to ensure this tragedy never occurs again?

**Hon Mr Christopherson:** Let me say at the outset that when I referred to the actions of the two previous governments in this regard, both the Conservative government in 1981 and your own government in 1987, I am in no way criticizing the action or decisions that were taken. I believe that was the appropriate way to deal with this, given the other issues that were there to be dealt with.

I would point out to the member that since 1981 there have been a number of other regulations. It's not as if nothing has been done. Each of our governments, working with the fire marshal of the day, has worked to fill in those reserved places in the code so that the regulations are in place. It's always a question of, which one do you work on first? I would think that my predecessors are like me: You take very seriously the advice of those who are professionals in this arena and know these things and listen to what they say needs to be worked on.

I know that in 1982 there were regulations put in place for rooming-houses, in 1987 there was health care retrofit, and during our term of government we've had three different pieces of regulation put in place.

To deal with the last point of your comment, the question of whether I will act, in my discussion with the fire marshal's office I have asked them, if they're not in a position to recommend we do the entire 100-page regulation, can we at least break it down into pieces that we can begin to move on over the next few months, and indeed see an accelerated pace of getting this particular regulation in place? They are going to respond to me with an action plan, if you will, on how we can do that in a way that is appropriate.

**The Speaker (Hon David Warner):** Could the minister conclude his response, please.

**Hon Mr Christopherson:** Well, there's one more supplementary. I'll get one more point in then.

**Ms Poole:** Minister, I am pleased to hear that there is an action plan and in fact work will be commenced and will be done over the coming months. However, I want some assurances that these regulations will not fall between the cracks.

I would ask for a very specific commitment from you today. Will you commit that within 30 days of receiving the results of the coroner's inquest, regulations will be brought before cabinet? It is too late to save the life of Sean Kells, but it may well save somebody else's life.

**Hon Mr Christopherson:** Again, let me point out that although the honourable member raises the issue of how far the occupational health and safety regulations go, the code regulations go there, I would just ask that we all pay particular attention to that and see whether or not in this particular case there were codes that applied, and we need that to happen.

To answer directly, I would really like to stand here and say it's a guarantee that within X number of days there will be immediate action taken and everything will be as we want it to be. The reality is that your own Solicitor General of the day couldn't do that with this particular regulation. Neither could the previous government.

I'm not satisfied, given this issue, that we leave it out there as draft regulations. I've asked that we break it down further and look at pieces that can be implemented. I'm advised that this is one of the most complex, wide-ranging regulations in that entire code—as I said, it runs some 100 pages—and I don't think it would be appropriate as a political response to say to all of the world that's affected by changes in the fire code: "Don't worry. Everything will be taken care of."

What I will say to the honourable member very directly is that this will not fall through the cracks. This is an issue that I have spoken to the fire marshal's office on. I have asked them for an action plan; and yes indeed, we will take it very seriously and move on putting that total regulation in place just as quick as we can, in as responsible a fashion as I know that she would want, and certainly that the third party would want.

1420

#### HEALTH INSURANCE

**Mr Michael D. Harris (Nipissing):** My question is to the Minister of Health on her unilateral decision to cancel out-of-country health care coverage. I have a copy of a letter from John Keogh of Wasaga Beach. John's wife, Laura, is 68 years old and is a severe asthmatic. For the past eight years they have gone to Arizona in order for Mrs Keogh to enjoy a healthy winter. The Keoghs used to pay \$1,600 in extra health coverage for five months in Arizona. That bill would now be nearly \$3,000 this year. Minister, because of your decision to cut their hospital coverage below the OHIP rate, a plan which they worked all their lives to pay for, the Keoghs are staying home. Do you think this is fair?

**Hon Ruth Grier (Minister of Health):** Our first priority is to have a top-quality health care system in Ontario for all of us in this province. While doing that, we have had to make some tough decisions in order to be

able to both protect and preserve our existing system and expand it to meet areas where there was not enough service, whether that be for seniors through long-term care, for the expansion of our cancer system, for dialysis costs.

We've made some choices and made the decision that out-of-country health care was something for which people always, as you've said in the example you raised, carried some private insurance. To ask those people to carry some extra private insurance was a decision we made in order to have the saving to do the many expansions and to maintain the health care system we have now.

I am surprised at the example of costs that you raise because in fact rates for private insurance have gone down this year by about 10% or 20% from last year because of increased competition. Dare I say it, but it appears to be that the marketplace is working to reduce the costs of private insurance.

**Mr Harris:** I don't know why anybody on that side of the House would dare to say it. What your cuts mean, however, to Laura Keogh are that she will now look forward to a winter of illness. According to her husband, John, she is likely to be hospitalized at some point. For example, in previous years prior to going to Arizona, she regularly spent time in the hospital each winter in Ontario.

Minister, the bottom line is, aside from the personal effects on Mrs Keogh's health, in her case—and you tell me that the reason for this policy you've brought in is to save dollars. Whether it saves dollars or not is what I actually want to talk to you about tonight, aside from the fact that I don't think that's a good reason to break the Canada Health Act and violate a fundamental trust with the people in Ontario. But you say it's to save dollars.

In her case, you clearly are not going to save dollars. In fact it is very likely that the system will cost far more, because she is much more likely to be hospitalized this winter staying at home than had she been in Arizona. So in Mrs Keogh's case, not only are you destroying the trust, not only are you destroying her life at age 68 and ruining her winter and her family's, but you are actually going to in all likelihood cost the system more money than if you would pay the OHIP rate for her to be in Arizona, where she is less likely to be hospitalized. How do you possibly justify affecting her life, ruining her winter, when at the same time, in her case, net costs to the system will be more?

**Hon Mrs Grier:** As the leader of the third party is well aware, I'm not able to nor am I in a position to comment on an individual case. But I have to say to him that there is no evidence overall that in fact the costs—and he's talking costs, not the individual effects on an individual—are greater as a result of the fact that some people may not be able to afford the private insurance to go south.

But let me repeat to the member that everybody leaving the country has for decades known that buying private insurance was something they had to do, and the increase that was forecast in the cost of private insurance as a result of some of the changes that have been made



has in fact not been great and overall the cost of private insurance has diminished.

The reason that we have made some changes in out-of-country health care costs is because we don't believe that we ought to spend precious health care dollars necessarily on out-of-country institutions. We pay for out-of-country doctors. We pay for out-of-country medication in some cases. We don't any longer pay expensive hospital beds out of country.

We are in line with other provinces in this country, and by doing that we have been able to protect the health care system for everyone, whether they are here or whether they are out of country for several months of the year, and we have been able to expand the services—

**The Speaker (Hon David Warner):** Would the minister conclude her reply, please.

**Hon Mrs Grier:** —our health care system here provides.

**Mr Harris:** You, like some other provinces, are in violation of the Canada Health Act. You are destroying lives, and according to you, you have no evidence. You have no evidence that it's going to even save money. In fact, this is what you told me, "We don't have any evidence to this effect." Clearly there are many others like Mrs Keogh. If they now stay home because of the increased cost, this will be what we call the unintended consequences of your legislation.

Since you have no evidence, or you're not prepared to table any evidence, I am giving you evidence of at least one case, and I believe there are many others, where it will cost the system more. That is medical evidence, irrefutable, that the doctors are telling us. That's why they recommend that their patients go to places like Arizona. Why then, in the face of this evidence that I'm giving you, which is medical, which is irrefutable in the absence of any evidence of your own, do you continue to break the law, violate the Canada Health Act and destroy the lives of people like Mrs Keogh?

**Hon Mrs Grier:** The leader of the third party should not say there is no evidence. The figures speak for themselves. In 1991-92, we were spending \$310 million on out-of-country health coverage. In 1993-94, we spent \$71 million on out-of-country health coverage.

Another fact: Of that \$71 million, only \$14 million was for people over 65. Because of the changes we've made and the saving that we have, we have expanded cancer care, we have expanded dialysis care.

The member says he is going to restore all out-of-country coverage. What's he going to do? Take the dialysis machines out of hospitals? Tell Oshawa that they can no longer have a cancer centre? Tell the seniors of this province that we can no longer afford long-term care? He's not prepared—

**Mr Harris:** I am going to stop breaking the law. I am going to live up to the obligations—

**The Speaker:** Order. The leader of the third party, please come to order.

**Hon Mrs Grier:** —to make tough financial decisions in order to protect the health care system of this province.

**Hon Frances Lankin (Minister of Economic Development and Trade):** This is a 180-degree turnaround for you and your party.

**The Speaker:** Would the member for Beaches-Woodbine come to order.

#### AGRICULTURE LABOUR POLICY

**Mr Noble Villeneuve (S-D-G & East Grenville):** I have a question of the Minister of Labour, but in her absence I will go to the minister who should be in charge of this, the Minister of Agriculture, Food and Rural Affairs.

Can the minister confirm the facts in the lead story in a current edition of *Farm and Country*? It says here, "Labour Unions Go Undercover on the Farm," that the United Food and Commercial Workers conducted an illegal organizing meeting on a Niagara fruit farm earlier this summer. If the minister can't confirm that, then why has there not been an investigation over the last two weeks since the details were published in this edition of *Farm and Country*?

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** I'm usually not in the position to confirm or deny anything that appears in any newspaper and I'm certainly not going to do it with this particular story.

I am aware, though, that some allegations were made around the migrant worker program, which happens to be a federal program. It's a program that we have been supportive of. We recognize the importance of the migrant worker program to many of the farmers who have a lot of manual labour that needs to be conducted for harvesting crops and we have been supportive.

There have been complaints about the housing. I understand that there are vehicles in place to deal with those complaints and we would expect that those complaints would be dealt with through the normal course of events.

1430

**Mr Villeneuve:** It was reported by the owner of the farm that when he inquired why there were some 20 cars at the road, he was told that there was a church meeting of migrant workers. We also know from photographs found at the scene, and later published in the *Farm and Country* article, that union organizers Ralph Ortlieb and Walter Lumsden were present—I think people who are known to you. Ralph Ortlieb, as the minister will know, was one of the NDP's own labour representatives who participated in setting up Bill 91, and Walter Lumsden is quoted in the paper as saying about being "secretly on a farm property," and I quote, "There's all kinds of us doing it now and I'm glad sometimes you have to do something a little bit wrong." That comes from Walter Lumsden.

There's more than enough information in the article, Minister. Why has the minister, or people from your ministry, not acted and reassured the farming community that illegal actions by unions will not be tolerated?

**Hon Mr Buchanan:** As I said a moment ago, I have no intention of commenting on what's reported in one article in any newspaper. I do know though that a

meeting has taken place; in fact it took place on Monday, I believe. The committee that's made up of representatives from labour, representatives from the farmers and representatives from the Ministry of Labour and my own ministry met on Monday. I believe that this issue was one of the ones that was discussed. I believe that both sides—if you can call it a disagreement—have decided to work together. There's a recognition that they will investigate as to whether or not there's any validity in some of the allegations and they will be dealt with in a cooperative manner.

**Mr Villeneuve:** The Ministry of Labour is certainly complicit in organizing the family farm. I hope the Ministry and the Minister of Agriculture, Food and Rural Affairs is not.

In each case, the access-to-property clauses in Bill 40 and Bill 91 have clearly been broken. Will the minister admit today that his government has no intention of ensuring that indeed the legislation in Bills 40 and 91 is enforced? I know it's not in his ministry, I know it's in the Ministry of Labour, but would you not agree, Minister, that Bill 91, according to what's happened, is a bit of a joke?

**Hon Mr Buchanan:** There are no jokes about Bill 91. Bill 91 in fact brought Ontario into the same era as all of the other provinces with the exception of Alberta. Agricultural workers in every other province in this country are allowed to organize except for Alberta. That's what Bill 91 did.

The seasonal workers were an issue as to whether or not they should be included. The representatives on the committee who looked at this bill, both the UFCW and the other organizations representing labour and farmers, agreed that seasonal workers would not be included as part of this bill. They agreed on that, they signed off on that and we agreed with that. There were some suggestions that seasonal workers be included. It's my understanding at this point in time that both sides have now said that that's what they agreed on and that's what they continue to agree on. They think that there are some problems with the migrant worker program and they have agreed that all of us will work together in trying to resolve whatever those issues are.

This bill is working. There are no problems with this bill. In fact, it has not hurt any farmer and the farmers and labour are working together, which was the intent of Bill 91.

#### MINISTRY OF TRANSPORTATION CONTRACTS

**Mr Steven Offer (Mississauga North):** I have a question to the Minister of Transportation. Minister, I want to return to the issue of the awarding of the Highway 407 contract which you have refused to provide any details upon. Minister, media reports have indicated that there are many questions about the way in which this contract was awarded, and your refusal to disclose the bids and to ensure taxpayers that they got the best deal for their money only feeds suspicions about this deal.

Minister, I'd like to ask you one very specific question about one particular aspect of the deal. Reports have suggested that the labour deal signed by the winning

consortium and included as part of its bid was a key reason that it ultimately won the bid. My question to the minister is, was the presence of the deal with labour a key factor or was it not?

**Hon Mike Farnan (Minister of Transportation):** Several questions. First of all, as far as I am concerned, and I want to make this abundantly clear, I have absolutely no problem in releasing the contract and providing that contract provided that the commercially sensitive information is not revealed. That's the first point I want to make, and my ministry staff have sent a formal request to CHIC, which is the private sector consortium, for permission to release the contract. That's the first point.

Secondly, I don't want the Liberals to lose sight of the fact of what we achieved here. We are building Highway 407 some 22 years faster than originally planned. The private consortium is building the highway \$300 million cheaper than if the ministry had built it itself. We have a time and price guarantee for the completion of the highway. Highway 407 will reduce congestion in Toronto estimated at \$2 billion per year. Can you imagine, Mr Speaker? Two billion dollars per year being saved as a result of entering a very innovative contract. The Liberals would have taken 22 years extra to build this, and we are in fact creating jobs now.

With regard to the point he makes about the contract between the consortium and the union—

**The Speaker (Hon David Warner):** Would the minister conclude his response, please.

**Hon Mr Farnan:** —let me say it has absolutely nothing to do with government. If the people have concerns, they should take them to the appropriate parties. You have an employer and an employee coming to a contract that is the business arrangement that is holding up between those two parties and has absolutely nothing to do with government.

**Mr Offer:** My question to the Minister of Transportation was whether the presence of a deal with labour was a key factor or not. The Minister of Transportation has now taken about four or five minutes in a response that was not to the question that was posed.

Minister of Transportation, the reason I ask you this question—and please listen—is that there have been conflicting reports about whether a labour deal was key to winning the deal. One of your senior Ministry of Transportation officials said the labour deal in the winning bid was an important factor in the decision to award this billion-dollar contract. In fact, Tony Salerno, the head of the Ontario Transportation Capital Corp, said it was a key part of their bid. Yet the representatives of the losing bid have said that they couldn't get a clear answer on the importance of including a labour deal in their bid. In fact, they say that a senior bureaucrat told them not to sign a deal with the labour group.

Minister, maybe you can clear this up. What were your officials told to inform the bidders? Were they directed to inform them that a labour deal would be crucial to a successful bid or not? Finally, were all the bidders given the same information? Minister, I would appreciate it if you would respond to the question posed as opposed to



the briefing note in front of you.

**Hon Mr Farnan:** The process has been impeccable, absolutely impeccable, and I have answered this question time and again. But let me say to the member that when you negotiate the largest single contract in the history of transportation in Ontario and when you successfully conclude a fixed-time and a fixed-price guarantee, doesn't it make sense for any consortium that is bidding on that process to enter into negotiations? The member should know that there is privileged information in these bids.

I am saying to you that it certainly, in my view, makes sense to have some agreements made. Whether those agreements are made or not is part of the presentations that were made, but you know that the proposals, the bids, are indeed proprietary information. That is a fact.

**The Speaker:** Would the minister conclude his response, please.

**Hon Mr Farnan:** As far as the agreement goes between an employer and an employee, labour law in Ontario is very clear: An employer can make an agreement with its workers as long as it practises fair wage opportunities. Indeed it is my understanding—

**The Speaker:** Would the minister please conclude his response.

**Hon Mr Farnan:** —that the consortium is indeed recognizing union wages, paying union wages, and if he has a problem with workers in Ontario receiving union wages—

**The Speaker:** Will the minister take his seat. New question.

1440

#### ADOPTION

**Mr Cameron Jackson (Burlington South):** In the absence of the Premier, to whom I wished to place this question, I would like to pose it to the Minister of Community and Social Services, and I would ask a page to give to him a copy of two letters signed by your Premier, Bob Rae, to a prominent member of the Adoption Council of Ontario. Those letters are dated both in 1985 and 1986, when your Premier made a personal, strong commitment to adoption reform in Ontario.

In the letter of September 25, 1985, which I have placed on your desk, the Premier thanks adoptees and their parents for their support during the provincial election and in return promises that, and I quote Premier Bob Rae, "New Democrats will continue to press to open up adoption records to adoptees and their parents, just as we have done since 1978."

Minister, if you look at the letter of June 10, 1986, again signed by Premier Bob Rae, the Premier goes on to state, "You can be sure that Ontario New Democrats will try to obtain the kinds of information disclosure legislation that people such as you, as an adoptee, are seeking."

These letters are signed by Premier Bob Rae as leader of the third party in Ontario. They are his personal commitment and undertaking prior to two elections, and they were reiterated again in 1990.

**The Speaker (Hon David Warner):** Would the member place a question.

**Mr Jackson:** My question, Minister: Is your Premier still personally committed to reform for the adoptees in this province?

**Hon Tony Silipo (Minister of Community and Social Services):** I think the letters the member has read from, has quoted from, speak for themselves. I believe the Premier remains today as committed as he was then to this issue, and I think the support he has shown for this issue as we've made steps, as I know the member is aware, to try to deal with this issue in terms of going as far as we've been able to go within the present legislation—the member knows that we have made a number of improvements in the adoption disclosure process to try to make it easier for people who want to reconnect with people who were adopted to do that.

At the same time, I'm sure the member is also aware of the issues that are now being discussed through the private member's bill from the member for Sault Ste Marie, and I presume that's the issue he's going to want to pursue in the supplementary.

**Mr Jackson:** No, I don't wish to pursue a private member's bill that will die on the order paper of this government. I want to quote again from the same letters I have given to you, a quote from Bob Rae, personal signature, on September 25, 1985.

He says this: "Because of committed supporters like yourselves, New Democrats were able to negotiate an historic agenda for legislative reform in 1985. Just think what we could have accomplished with a majority."

Minister, in the provincial election in 1990, Ontario adoptees relied on the word of Bob Rae and they helped give you your majority. There are some one million people involved here.

When adoption groups contacted the Office of the Premier and asked him to undertake a personal support for Adoption Month in Ontario, he said no. When they asked you to rise in the House and provide official government recognition of Adoptees Month, November, you said no. On Monday I began tabling petitions on behalf of these individuals, and yesterday a private member buried in the back benches of your government made a statement on Adoption Week in Ontario without mentioning any legislative reform.

**The Speaker:** Does the member have a supplementary?

**Mr Jackson:** My question then to you, Minister, and to Bob Rae in his absence: Do you still think adoptees deserve the reforms they've been seeking from you since 1978 or are you simply going to pay lip-service to them because there's an election around the corner?

**Hon Mr Silipo:** We have been dealing with this issue in what I thought was really a non-partisan way and a very constructive way, and that's quite frankly, despite the attack from the member opposite, the way in which I would like to continue dealing with this issue.

I think he does a disservice to every member in this House when he diminishes the power of a private member's bill in this House. I know he, as a private member, has in fact argued time after time as to why certain private members' bills have not been passed. There is, as

the member knows, a private member's bill which deals very clearly with these issues that stands in the name of the member for Sault Ste Marie. That bill, I was pleased to learn, has been scheduled for committee next week.

I think before the member opposite casts all sorts of aspersions on any particular member of this Legislature, he should let the process continue to unfold.

**Mr Jackson:** You said no to official recognition.

**The Speaker:** Would the member for Burlington South please come to order.

**Hon Mr Silipo:** I have said to the member privately, I have said to the member publicly and I'm happy to reiterate today, I support the private member's bill that's there. I believe there are many members in this House who support that bill.

There are issues we are trying to resolve between my ministry and the Ministry of Consumer and Commercial Relations with respect to the funding, with respect to some of the legislative provisions which I know are going to be addressed next week as the bill goes through committee. There's still time left on the legislative calendar for all of us to do what we believe is the correct thing to do and that is to continue to provide access to adoption records for people in these instances. That continues to be very much the intent that I'm going to work under.

**The Speaker:** Would the minister conclude his reply, please.

**Hon Mr Silipo:** I hope that despite the attack, the member opposite will also continue to work with us towards that objective.

#### LIQUOR CONTROL

**Mr Norm Jamison (Norfolk):** My question today is to the Minister of Consumer and Commercial Relations. There has been some conversation in this House around the Liquor Control Board of Ontario, SOPs—special occasion permits—and so on. My question I think is pertinent today around those issues.

The Tories have made a firm commitment to the privatization of the LCBO. The Liberals have shown strong tendencies to move in the same direction. This position is based on two assumptions: that privatization would lower costs and improve customer service, and that it also would have little effect on the control of liquor sales to the public. I think that's pertinent due to previous discussions here in this House today.

I would ask the minister, what is the minister's position on these particular assumptions?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** The experience of privatization in other jurisdictions, most notably recently Alberta, shows that both of those assumptions are completely wrong. I'll read to you from an article in the *Globe and Mail* which says:

"Alberta consumers have found that the cost of many popular alcoholic beverages has increased by as much as 25%. Selection ranges from decent to dismal, as many new outlets have limited floor space and most owners have no interest in stocking brands that do not move quickly."

The LCBO, through the economy of scale, can keep prices down and keep uniform service across the province even in remote northern areas. So that is not common sense whatsoever.

**Mr Jamison:** Many families in this province have experienced troubles because of liquor in one form or another, liquor sales and the control of liquor sales. The Tory policy does not mention the social consequences of privatizing the LCBO. Would the minister give the House her view on the social impact of such privatization?

**Hon Ms Churley:** Given the seriousness of the statement that was made earlier today by the Minister of Municipal Affairs on what we're trying to do on some problems relating to alcohol in the province, I'm really surprised and somewhat shocked by the response from the opposition today.

According to a study by Professor Lauzon of the University of Quebec, privatization would result in an increase in alcoholism, a rise in smuggling and also perhaps an increase in drunk driving. The LCBO works with health and social agencies on strategies to ensure the responsible sale of alcohol. The LCBO employees uphold strict guidelines with respect to serving minors and intoxicated persons.

There is fear that a private system would favour profits over social responsibility. So I am proud to reiterate once again that this government will not be privatizing the LCBO, for it would be a bad business decision with negative social consequences for the people of Ontario. We are using our common sense in this regard.

1450

#### COLLECTIVE BARGAINING

**Mrs Elinor Caplan (Oriole):** My question is to the Attorney General. On Monday the Ontario Crown Attorneys Association, which represents your crown attorneys, appeared before the Ontario Labour Relations Board at a hearing that was to decide which bargaining unit should represent your lawyers.

The unionization of crown attorneys is the unfortunate outcome of the government's amendments to the Crown Employees Collective Bargaining Act, the new legislation that you brought forward, which forces Ontario's civil servants to join unions.

The crown attorneys fear that they will be forced to go on strike in order to reach a first contract, and by going on strike they will be violating their code of conduct as set out by the Law Society of Upper Canada. As a result, Ontario will not be able to prosecute any cases, be it for murder, robbery or rape, because Bill 40, your labour law, does not allow the hiring of replacement workers as long as these services are not considered essential.

Right now the government is trying to decide which public sector services will be considered essential, and the existing framework between the government and its crown attorneys, your crown attorneys, Minister, expires in December.

I'm asking the Attorney General today, because of her interest in ensuring that the crown attorneys are available to prosecute cases in our courts, will she give her assurance to this House that crown attorneys will be desig-



nated essential and therefore prevented from going on strike as their own code of conduct forbids?

**Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues):** The member is quite right to be concerned about the issue. Certainly the crown attorneys' association has made many representations to us about their concerns, because of course they remain concerned about their obligations under the law society as well.

What the member should be aware of is that this matter is very much part of the discussion by the labour relations board. It's completely inappropriate for me to comment on a matter that is being adjudicated by that board at the present time, and it would be extremely difficult to give her the assurance that she wants in the form that she wants.

I can tell her that it is our obligation as the Ministry of the Attorney General to ensure that cases going through the courts proceed with expedition, and we certainly can give a commitment that we would make every effort as a government and as a ministry to ensure that cases do not get lost under any circumstances.

**Mrs Caplan:** Minister, your answer is not in the public interest. In fact, I'd suggest that we have a patently ridiculous situation here under the guise of ideological purity. Your government is saying that your crown attorneys could be put in a position where they would be forced to strike. The government is forcing the association representing the crowns into the same bargaining unit as other ministry lawyers such as legal drafters. The larger unit virtually guarantees that at some point Ontario prosecutors will be on strike and no cases will be prosecuted. This is your responsibility.

What I'm asking you today is for your assurance that since you will not designate the crown attorneys as essential, that you'll not assure that happens, will you agree at least that the crown attorneys will have their own bargaining unit so that they are separate from other public sector lawyers and would then not be in the position of having to strike because a larger unit forced them into it?

**Hon Mrs Boyd:** These matters are currently under negotiations and negotiations are going well. I'm certainly not going to enter into a discussion as Attorney General with the member. She's the critic for Management Board, she knows this is a Management Board issue and I will decline to answer any further.

#### HIGHWAY IMPROVEMENT

**Mr Robert W. Runciman (Leeds-Grenville):** My question is for the Minister of Transportation and it has to do with the four-laning of the southern portion of Highway 16. It appears clear that the federal Liberal government is reneging on its promise made during the federal election campaign to come up with—is it \$90 million?—

**Mr Noble Villeneuve (S-D-G & East Grenville):** It is \$60 million.

**Mr Runciman:** —\$60 million towards the completion of the southern portion of the highway. If you accept the assumption that the Liberals are now backing away from that election promise, where does the project stand in

terms of priorities within your ministry? When can we expect the provincial government, your government, to proceed with this? Is it at the top of the priority list? Can we expect, without federal funding, that this road expansion will be launched next spring?

**Hon Mike Farnan (Minister of Transportation):** We are very clearly committed to 416, as the member knows. The federal government, in the course of an election, said it would come forward with one third of the funding for this project in order that it could be fast-tracked. Unfortunately, the federal government has not lived up to its commitments.

I am delighted that a member from the third party would be supporting this, but also I'm a little bit surprised that the member from the third party would be encouraging us to spend funds on transportation when his party is committed to cutting \$300 million from the Transportation budget.

**Mr Runciman:** If we want to talk about spending priorities—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Runciman:** The minister failed to deal with my specific question in terms of where this stands, assuming the federal government is not going to keep its commitment. Where does it stand with his government? Let's set aside the federal government situation.

He talks about fiscal integrity. I want to ask him, as a supplementary, why his government does not have enough funds to continue with the southerly extension of four-laning when it was able to come up with \$2 million for, in effect, a bridge to nowhere, a bridge that's going to something called the Log Farm which is costing \$2 million? The Log Farm is a questionable tourist attraction which has declining revenues every year. There's a serious question whether it can continue to operate, yet your government made a decision to construct a very elaborate, fancy bridge to what, in effect, is a dying tourist haunt. Can you explain your priorities? How come you have money for that sort of thing and you don't have money to continue the four-laning?

**Hon Mr Farnan:** The contradictions of the Conservative Party really disturb me. On the one hand they're talking about spending money; on the other hand they're saying to cut \$300 million from the Transportation budget.

Let me just give you some idea of what members of the Conservative Party want us to do. The member for York Mills, "Spend more money on transfers"; Dianne Cunningham, London North, "Install raised pavement markers"; Carleton, "More money to fully fund Highway 416"; Leeds-Grenville, "Spend more money to keep open an underutilized DMV office"; the member for Wellington, "More money for provincial capital roads funding"; the member for Renfrew, "Maintain municipal roads"; the member for Parry Sound, "Road rehabilitation, railway crossings, gravel roads, road culverts."

It goes on and on. The Conservatives want us to spend, spend, spend, and at the same time, Mike Harris says he wants to cut \$300 million from the Transportation budget.

I don't understand where the Conservatives are coming from. They're speaking out of both sides of their mouth. The people of Ontario will not stand for this duplicity and neither will I.

1500

#### VIOLENCE AGAINST WOMEN

**Ms Christel Haeck (St Catharines-Brock):** I know all members in this House will welcome Professor Donald MacDonald and his class. I think we've all given them a very lively first-hand demonstration of the joys of question period. We all hope you've had a good time here visiting us all.

**The Speaker (Hon David Warner):** Now for your question.

**Ms Haeck:** Thank you for your indulgence, Mr Speaker.

*Interjection.*

**Ms Haeck:** Thank you, the member for St George-St David, I'm sorry.

My question is to the minister responsible for women's issues. I do not intend to remind the minister that November is Wife Assault Prevention Month, a month when government, service providers and communities work together to focus on the prevention of violence against women.

A problem has come to my attention specifically relating to a service provider in my riding, St Catharines-Brock, which has been involved in giving counselling to those male abusers who have been sentenced to go into treatment. As you know, more and more judges are making mandatory participation in a counselling program a provision of sentencing for men convicted of violence against women.

In St Catharines, Design for a New Tomorrow is the sole provider of a 10-week group counselling session for men who have abused their female partners. Design for a New Tomorrow, like many other social agencies, is experiencing serious budget constraints and cannot meet the demand for its program. Madam Minister, what actions can be taken to resolve this situation?

**Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues):** Certainly, preventing violence against women and their children and the vulnerable continues to be a high priority. In fact, we've increased funding in the area about 52% since 1990. So we have been working hard on it. The male batterers programs are part of our violence against women strategy. They're funded and delivered through the Ministry of the Solicitor General and Correctional Services and the Ministry of Community and Social Services.

In response to an extensive community consultation, the government implemented guidelines to make the male batterers programs more accessible and more accountable, and there has been a moratorium on additional funding for the programs during the development of those guidelines. We've now initiated an evaluation of the male batterers programs to ensure that the guidelines have been implemented and that the outcomes of the programs show them to be effective in providing better safety for women and their children. Once that evaluation is complete, then

the question of additional funding can be addressed more effectively.

**Ms Haeck:** Madam Minister, I think we all want to ensure that men who assault their female partners receive the treatment they need to be functioning members in our society. I have met several times with the staff at Design for a New Tomorrow. Their philosophy is that if they can change one man, they will have saved five and possibly six women from abuse since these men tend to go from one woman to another.

Last year, Design for a New Tomorrow received 225 calls from men who were looking for counselling; 125 of those calls were from men who had been charged and were awaiting sentencing, or who were already convicted and mandated by a judge to have treatment through their program.

Unfortunately, Design for a New Tomorrow only receives funding to counsel 80 men a year. That means 125 men sought counselling for their program but had to be turned away because of funding constraints. This, I think we will all agree, is a tragedy, not only for the men but for the women they will go on to abuse because they couldn't get treatment.

**The Speaker:** Could the member place a question, please.

**Ms Haeck:** Can the minister assure me that male batterers programs will be considered for additional funding in the new violence against women strategy?

**Hon Mrs Boyd:** The focus of the violence against women strategy is to prevent violence and the member is quite right in her analysis of the importance of helping men who have been violent to change their behaviour. I can assure her that from my perspective and from our government's perspective, male batterers programs need to be taken into account in planning that strategy.

#### MOTIONS

##### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** I move that notwithstanding standing order 96(h), the requirement for notice be waived with respect to ballot item 75.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

#### PETITIONS

##### GASOLINE PRICES

**Mr Frank Miclash (Kenora):** This is a petition that I know the Minister of Northern Development and Mines will be interested in, as he gave me his assurance yesterday that he will be dealing with this issue. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the difference in gasoline prices between northern and southern Ontario has long represented a serious inequity between the two regions; and

"Whereas the difference in gasoline prices between northern and southern Ontario is often between 10 and 20 cents a litre; and

"Whereas residents of most northern Ontario communities have no access to public transportation options and



are therefore dependent on private automobiles; and

"Whereas in 1990 the NDP made an election promise to 'equalize' the price of gasoline across the province of Ontario and this promise has not been kept; and

"Whereas," I, the MPP for the Kenora riding, have "called upon the NDP government to keep their 1990 election promises; and

"Whereas the elimination of motor vehicle registration fees for northern Ontario residents does not compensate for the excessively high price of gas in the north;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the NDP government of Ontario fulfil its election promise to the people of northern Ontario by equalizing the price of gas across the province."

That is signed by constituents of mine from places like Dryden, Keewatin, Kenora, Red Lake, and from the entire riding as well as from the entire north.

EDEN MILLS BRIDGE

**Mr Ted Arnott (Wellington):** I have a petition to the Legislative Assembly of Ontario, and I'm not sure if the format is consistent with the rules of the House but I'll read it into the record anyway and have the table make that determination. The petition reads as follows:

"The council of the township of Eramosa decided on September 7 at 2:15 am to destroy the Eden Mills historic Bow String Bridge and replace with it a two-lane structure.

"We, the undersigned, respectfully request that the council of the township of Eramosa rescind this resolution and resolve instead to rehabilitate this heritage bridge.

"We respectfully request that the government of Ontario, the county of Wellington and the township of Eramosa cooperate to apply the resources needed to preserve and restore the Eden Mills Bow String Bridge and thereby maintain the architectural, environmental and social integrity of Eden Mills."

It's signed by approximately 1,200 people and I think it's interesting to note that about 20% of those signatures, by my rough calculations, are from Wellington county; the rest are from across the province and from as far afield as Britain and Germany.

1510

#### ADULT ENTERTAINMENT

**Mr Paul Klopp (Huron):** I have a petition to the Legislative Assembly of Ontario to amend subsection 225(1) of the Municipal Act of 1990, chapter M.45. This is from the London Diocesan Catholic Women's League.

"Whereas municipalities may pass bylaws for licensing, regulating, governing, classifying and inspecting adult entertainment parlours or any class or classes thereof and for revoking or suspending any such licence and for limiting the number of such licences to be granted; and

"Whereas municipalities may define the area or areas of the municipality in which adult entertainment parlours or any class or classes thereof may or may not operate and may limit the number of licences to be granted in respect of adult entertainment parlours or any class or

classes thereof in any such area or areas in which they are permitted; and

"Whereas 'adult entertainment parlour' is defined as follows: 'any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations'; and

"Whereas 'goods' is defined as follows: 'includes books, magazines, pictures, slides, film, phonograph records, pre-recorded magnetic tape and any other reading, viewing or listening matter'; and

"Whereas consumer minister Marilyn Churley recently said, 'We think it's becoming more and more of a problem about the proliferation of films which depict violence against women'; and

"Whereas the proliferation of adult videos depicting violence against women and children and hard-core pornography is becoming a serious problem; and

"Whereas many municipalities wish to have the authority to prohibit adult entertainment parlours, as defined in the said act, from operating within the boundaries of the said municipalities,

"Therefore we support a petition to the Legislative Assembly of Ontario to humbly request that the said Municipal Act, section 225, be amended to permit a municipality to pass bylaws prohibiting adult entertainment parlours in the said municipality."

I sign my name, and also many other distinguished people: Muriel Murphy, who's here today, who's done a lot of work on this; Shirley George, the president of the Catholic Women's League, and her husband, Bruce, who also came down and also signed this.

#### CASINO GAMBLING

**Mr James J. Bradley (St Catharines):** This petition is to the Legislative Assembly of Ontario and it reads as follows.

**Hon Ed Philip (Minister of Municipal Affairs):** Can you read your own handwriting?

**Mr Bradley:** It's a legitimate petition. The member is interjecting over there that it wouldn't be. It is from a number of people in the Niagara Peninsula. It reads as follows:

"Whereas the government of Ontario has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the government of Ontario has had a historical concern for the poor in society, who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the government of Ontario has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change in government policy and never was

part of the mandate given to the government by the people of Ontario,

"Therefore, we, the undersigned, petition the Legislative Assembly as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

I affix my signature to this petition, as I agree with its contents.

#### CLOSURE OF GOVERNMENT OFFICE

**Mr Robert W. Runciman (Leeds-Grenville):** I have a petition signed by 19 members of the Athens Women's Institute expressing concern about the closure of the licensing bureau in the village of Athens. The Minister of Transportation was criticizing me earlier as this was a cost-saving measure, but indeed there are no costs to be achieved. This is another attack by the NDP government on rural Ontario. I'm affixing my signature in support of the petition.

#### ADULT ENTERTAINMENT

**Mr Pat Hayes (Essex-Kent):** I also have a petition that was read by my colleague from Huron. It's a petition to the Legislative Assembly of Ontario to amend section 225 of the Municipal Act, RSO 1990, chapter M.45, and it's from the London Diocesan Catholic Women's League. It's also signed by, I'm sure, many municipalities, including Maidstone, Sandwich South, Rochester, Belle River. A lot of the people in my riding have signed this in the parishes. In the essence of saving time, I'll just read the "therefore."

"Therefore, we support a petition to the Legislative Assembly of Ontario to humbly request that the said Municipal Act, section 225, be amended to permit a municipality to pass bylaws prohibiting adult entertainment parlours in the said municipality."

These petitions were signed by 16,000 people, including my own signature.

#### GASOLINE PRICES

**Mr Frank Miclash (Kenora):** I have yet another petition. I think the new Minister of Northern Development and Mines will be quite interested in this, as they just keep coming in.

It's a petition to the Legislative Assembly of Ontario:

"Whereas the difference in gasoline prices between northern and southern Ontario has long represented a serious inequity between the two regions; and

"Whereas the difference in gasoline prices between northern and southern Ontario is often between 10 and 20 cents a litre; and

"Whereas residents of most northern Ontario communities have no access to public transportation options and are therefore dependent on private automobiles; and

"Whereas in 1990 the NDP promised to equalize the price of gas across the province and these promises have not been kept; and

"Whereas" I, as the Liberal MPP for Kenora riding, have "called upon the NDP government to keep their 1990 election promises; and

"Whereas the elimination of the motor vehicle registration fees for northern Ontario residents does not compensate for the excessively high price of gas in the north,

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the NDP government of Ontario fulfil its election promises to the people of northern Ontario by equalizing the price of gas across the province."

That's signed by a good number of my constituents from Dryden, Keewatin, Kenora, Red Lake, Sioux Narrows and Redditt as well.

#### HEALTH INSURANCE

**Mr Robert W. Runciman (Leeds-Grenville):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas the provincial government has recently slashed health coverage by 75% for Ontario citizens who are hospitalized out of the country; and

"Whereas this reduction in coverage will affect all Ontarians but will have the greatest impact upon seniors, many of whom travel south of the border for important health care reasons and will be forced to absorb a tremendous hike to their health insurance premiums; and

"Whereas the government has justified its decision on the basis of not wanting to pay exorbitant hospital costs, even though, currently, out-of-country hospital coverage is based solely on the rates charged by Ontario hospitals; and

"Whereas the reduction in out-of-country hospitalization coverage below the rates charged by Ontario hospitals represents an indisputable violation of sections 7 and 11 of the Canada Health Act; and

"Whereas the Ontario Progressive Conservative Party makes the preservation of medicare a priority in its Common Sense Revolution policy document;

"Therefore, we petition the government of Ontario to act in a fair and just manner by preserving the sacred principles of medicare and to immediately restore out-of-country hospitalization coverage to the rates charged by hospitals in Ontario."

This is signed by 120 residents of my riding, and I'm affixing my signature in support.

#### ADULT ENTERTAINMENT

**Mr Norm Jamison (Norfolk):** I have a petition to the Legislative Assembly of Ontario to amend subsection 225(1) of the Municipal Act, 1990. This petition is from the London Diocesan Catholic Women's League.

"Whereas municipalities may pass bylaws for licensing, regulating, governing, classifying and inspecting adult entertainment parlours or any class or classes thereof and for revoking or suspending any such licence and for limiting the number of such licences to be granted; and

"Whereas municipalities may define the area or areas of the municipality in which adult entertainment parlours or any class or classes thereof may or may not operate and may limit the number of licences to be granted in



respect of adult entertainment parlours or any class or classes thereof in any such area or areas in which they are permitted; and

"Whereas 'adult entertainment parlour' is defined as follows: 'Any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations'; and

"Whereas 'goods' is defined as follows: 'includes books, magazines, pictures, slides, film, phonograph records, pre-recorded magnetic tape and any other reading, viewing or listening matter'; and

"Whereas consumer minister Marilyn Churley recently said, 'We think it's becoming more and more of a problem about the proliferation of films which depict violence against women'; and

"Whereas the proliferation of adult videos depicting violence against women and children and hard-core pornography is becoming a serious problem; and

"Whereas many municipalities wish to have the authority to prohibit adult entertainment parlours, as defined in the said act, from operating within the boundaries of the said municipalities;

"Therefore, we support a petition to the Legislative Assembly of Ontario to humbly request that the said Municipal Act, section 225, be amended to permit a municipality to pass bylaws prohibiting adult entertainment parlours in the said municipality."

This is one petition reflecting 16,000 signatures on the same issue and I add my name to this petition.

1520

#### LONG-TERM-CARE REFORM

**Mr Ron Eddy (Brant-Haldimand):** A petition to the Legislative Assembly:

"Whereas Bill 173, the long-term-care reform bill, if allowed to pass without necessary and appropriate amendments will result in a lower level of service to consumers in the province; and

"Whereas the enactment of this legislation in its present form will increase the cost of the provision of care to the elderly and those in medical need; and

"Whereas the passage of Bill 173 will bring about a decrease in the number of volunteers available to organizations now directly involved in providing service in the field of long-term care; and

"Whereas local communities will lose control and influence over the delivery of long-term-care services even though they are best able to determine local needs,

"Be it therefore resolved that the government of Ontario be requested to amend Bill 173 to comply with the recommendations of service organizations who at present deliver home care to people in communities across Ontario."

It is signed by a number of citizens and I affix my signature.

#### FIREARMS SAFETY

**Ms Jenny Carter (Peterborough):** I have a petition to the Legislative Assembly of Ontario.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend your plans, grandfather responsible fire-arms owners and hunters and only require future first-time gun purchases to take the new federal firearms safety course or examination."

This petition is signed by about 175 people from my riding and other areas.

**The Acting Speaker (Ms Margaret H. Harrington):** Introduction of bills. The Minister of Municipal Affairs.

#### INTRODUCTION OF BILLS

**Hon Ed Philip (Minister of Municipal Affairs):** Madam Speaker, I am pleased to introduce—

**The Acting Speaker (Ms Margaret H. Harrington):** Minister, could you present the bill first.

#### MUNICIPAL AND LIQUOR LICENSING STATUTE LAW AMENDMENT ACT, 1994

#### LOI DE 1994 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA DÉLIVRANCE DE PERMIS D'ALCOOL ET À LA DÉLIVRANCE D'AUTRES PERMIS PAR LES MUNICIPALITÉS

Mr Philip moved first reading of the following bill:

Bill 198, An Act to amend the Liquor Licence Act, the Municipal Act and the Regional Municipalities Act and certain other statutes related to upper tier municipalities / Projet de loi 198, Loi modifiant la Loi sur les permis d'alcool, la Loi sur les municipalités, la Loi sur les municipalités régionales et certaines autres lois ayant trait aux municipalités de palier supérieur.

**The Acting Speaker (Ms Margaret H. Harrington):** Is it the pleasure of the House that this motion carry? Carried. Would the minister care to make some introductory remarks?

**Hon Ed Philip (Minister of Municipal Affairs):** Yes, Madam Speaker. I'm sure that with another 19 years' experience of doing this, I'll learn how to do it properly.

I'm pleased to introduce for first reading today a bill entitled the Municipal and Liquor Licensing Statute Law Amendment Act. The bill strengthens both municipal and liquor licensing and licensing enforcement powers as I outlined earlier in my statement today. I might add, it will go a long way to resolving some of the problems outlined in the petition by the Catholic Women's League that was introduced earlier today.

#### REGIONAL MUNICIPALITY OF DURHAM STATUTE LAW AMENDMENT ACT, 1992

#### LOI DE 1992 MODIFIANT DES LOIS EN CE QUI CONCERNE LA MUNICIPALITÉ RÉGIONALE DE DURHAM

Mr Wiseman moved first reading of the following bill:

Bill 199, An Act to amend the Regional Municipality of Durham Act, the Municipal Act and the Regional Municipalities Act / Loi modifiant la Loi sur la municipalité régionale de Durham, la Loi sur les municipalités et la Loi sur les municipalités régionales.

**The Acting Speaker (Ms Margaret H. Harrington):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Jim Wiseman (Durham West):** The purpose of this bill is to require the regional council of Durham to elect a member of the council as its chair. Currently the council can appoint somebody from outside. This bill also requires the council of the area of the municipality from which the chair of the regional council was elected to fill the vacancy on its council either by appointment or by holding a by-election.

I think it's far past the time when our senior elected officials should be elected and that people who are making decisions such as the regional chairman makes should be elected somewhere by the people so that they are directly accountable.

UNCLAIMED INTANGIBLE PROPERTY  
AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI  
SUR LES BIENS IMMATÉRIELS NON RÉCLAMÉS

Mrs Boyd moved first reading of the following bill:

Bill 200, An Act to amend the Unclaimed Intangible Property Act / Projet de loi 200, Loi modifiant la Loi sur les biens immatériels non réclamés.

**The Acting Speaker (Ms Margaret H. Harrington):** Is it the pleasure of the House that the motion carry? Carried.

**Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues):** This bill will amend the Unclaimed Intangible Property Act of 1989. These amendments honour the commitment our government made in the spring budget to implement a program that will reunite owners with their unclaimed intangible property.

Members will be aware that last June I introduced Bill 178, the Unclaimed Intangible Property Amendment Act, 1994. In response to requests from the business and financial communities, our government agreed to further consultations before proceeding to second reading of that bill.

During the summer we consulted with the holder advisory committee, which consisted of representatives of the business, financial and legal communities. The committee submitted its report at the end of September and, in addition, we received a number of submissions from other interested groups. We then had further discussions with the holder advisory committee to determine what changes were necessary in order to address their key concerns.

It is appropriate, I believe, for me to express my appreciation and to publicly thank all of those who have participated in the consultations. I particularly want to thank those who have invested much time and energy in preparing detailed and useful reports. Many of the recommendations have been invaluable and it is for this reason that our government is withdrawing Bill 178 and introducing a new bill which incorporates those recommendations that the holder advisory committee indicated were key in addressing their concerns.

This process serves as an example of how the business, financial and legal communities, together with government, can work to create a program that will work to benefit all the residents of Ontario. For too long there has

not been a comprehensive method to get people back their lost, forgotten or abandoned property. I would call on all members of the House to support this bill, which addresses the needs of the business and financial communities as well as those who currently cannot retain their property.

1530

OPPOSITION DAY  
HEALTH INSURANCE

Mr Harris moved opposition day motion number 2:

Whereas the NDP government unilaterally announced that OHIP would reduce out-of-country hospital coverage for all Ontarians;

Whereas this government change means higher health care costs for every Ontarian, including people travelling for business, families on vacation and seniors;

Whereas the Canada Health Act guarantees "portability" and states that provincial health plans must pay for out-of-Canada hospitalization at the same rate they would pay for such care at home;

Whereas the federal Liberal health minister refuses to enforce the Canada Health Act and has demonstrated no leadership on this issue;

Whereas the principles of fairness and accountability to those who fund the health care system through their tax dollars have also clearly been violated;

Whereas the NDP failed to consult with the people affected, failed to determine if this policy is legal, and failed to calculate if savings would truly be made;

Therefore, in the absence of leadership from the federal government, this House calls on the Minister of Health to support the belief of the people of Ontario in the principle of portability—as enshrined in the Canada Health Act—and immediately restore out-of-country hospital coverage to Ontario rates.

**The Acting Speaker (Ms Margaret H. Harrington):** Now we will debate this motion and all three parties will have equal time to debate.

**Mr Michael D. Harris (Nipissing):** I know that every single member of my caucus wishes to get on the record on this, and I'd like to allow as much time as I possibly can for as many as possible to get on the record.

Clearly, what we have here is a unilateral change by the Health minister and by Bob Rae and the cabinet of this current administration contravening the Canada Health Act. On those grounds alone, this policy ought to be reversed and should be reversed today, particularly at this point in time when seniors in particular are now trying to make plans, many determining if they can afford, with the increased insurance costs, to go south.

We heard a case today, of course, of Mrs Keogh, who under doctors' recommendations ought to be in the drier, warmer climate of Arizona during the winter months, and is not likely to be able to make that decision, and we believe there are many others. These are cases, of course, that will add costs to the health care system, not save money.

Secondly, we are as upset, I guess, as we are disappointed with not only the unilateral action; the lack of



respect for the law of Canada; the lack of compassion for particularly those who can't afford the premiums to make up the difference. We are talking now not of course of the wealthy or of those travelling on business. Most likely this is an extra cost of doing business which makes it wrong. Those who have money will pick up the cost and go, but for an NDP government to come up with a policy that hits at the poorest, that hits at those senior citizens and the poorest of the senior citizens who have worked all their lives for this great province, it's a tragedy.

It's such a complete reversal from what anybody would expect of any politician of any party, but from the holier-than-thou supposed party that liked to say only they had compassion for the people of Ontario, it's absolutely astounding. It ranks up there with selling nuclear reactors to the perpetrators of the Tiananmen Square massacre, from a holier-than-thou Bob Rae who was opposed to nuclear power and held himself out as a human rights champion. I think this ranks right up there with that and stretches credibility, and is just totally unexpected. It was a shock, I know, to many seniors and particularly the poorest of seniors and a shock, I want to tell you, to me and to the members of our caucus.

The second tragedy, of course, is the lack of action by the federal Liberal government. Once again we've seen that Liberals are Liberals are Liberals. In opposition, they've got all the answers. They pushed for the Canada Health Act when they were in opposition. They were the biggest whiners and criers and bellyachers at everything that came along; fund everything.

We saw the same thing when they were in government in Ontario. A Liberal is a Liberal is a Liberal when it comes to saying one thing and doing another, or saying something in opposition and something different in government, and I'm most distressed about the same lack of principle, the same lack of respect for the law, the same lack of concern for the most vulnerable in our senior citizens and the most vulnerable senior citizens in Ontario, a complete disregard for these actions.

So we're left with no choice. Can you imagine senior citizens, with what few little pennies they may have left after paying premiums, or maybe staying home, now being asked to fund a court action against the federal government for not upholding the Canada Health Act? It ought to be the province of Ontario, if somebody else was doing this, going to court, funding this action. We are so puzzled on this side of the House, so distressed at the situation that has taken place.

We are asking all 130 members of this Legislature, even those in cabinet in the New Democratic Party, to just stop and think for a moment. You're breaking the law. You are attacking the most vulnerable in our society, particularly the most vulnerable of senior citizens in our society. The Liberal government in Ottawa is in cahoots with you on this and refusing to do anything about it as well, but you have the power, right here today, to pass this resolution which will send a powerful message.

Your party and your cabinet and your Premier, unbeknownst to them, might actually go up a little bit in popularity. You might even save one seat in the province,

I don't know, if you would acknowledge the huge mistake you've made and correct not only the mistake but the injustice and the unfairness and bring yourself into compliance with the laws of Canada.

Our appeal today is a very direct appeal to you. The power is within your hands. Only you can make this happen for this winter. Only you could make it happen for Mrs Keogh and many others like her in this period of time. Within six months, a new government—a Harris government anyway, which is a commitment you can count on—will change this; so next winter the situation will be okay and within a short period of time. But we have a six- or eight-month period here where we have a problem.

The only rationale your minister is giving in your caucus meetings for losing your seat in the next election, the only reason she's giving you is she's trying to save \$20 million. She has no documentation for that. Somebody in her ministry pulled it out of the air and gave her a figure. We have documentation and evidence that in some cases it'll be more expensive. So you've got to ask yourself now, do you want to lose your seat?

**The Acting Speaker:** Please address your remarks to the Chair.

**Mr Harris:** Do you—and I say it through the Chair to all the members—want to let down your constituents? Do you want to be part of breaking the law? Do you want to be part of this dastardly deed and be an accomplice to that because your minister, on false information, says you may save \$20 million?

If somehow or other she has convinced you there is \$20 million to be saved, I ask you to think of some \$30 million to \$40 million you spend on courier services, on some of the examples I've brought up—\$330 million you're spending on Jobs Ontario, which is the Bob's Ontario boondoggle that will also cost you your seats.

Just think about what you were elected to do. Think about the matter of priorities. Think in a commonsense way about what you can do in a non-partisan way for the people of Ontario, particularly the most vulnerable, and I ask you to support this resolution today.

**Hon Ruth Grier (Minister of Health):** I'm delighted to have the opportunity to debate this. I assume the mover of the motion and leader of the third party is going to be here to participate in the debate.

**Mr Harris:** I wouldn't listen to your nonsense for all the tea in China.

**Hon Mrs Grier:** I'm sorry that he is saying he is leaving the chamber and not going to participate in this nonsense because, if you can't take the heat, I guess you get out of the kitchen. That's what the leader of the third party is doing, because he's not prepared to stay here and debate a thoroughly unsubstantiated resolution that he has put on the order paper of this chamber. I think that is reprehensible.

**Mrs Margaret Marland (Mississauga South):** On a point of order, Madam Speaker: The Minister of Health knows the rules of this House very well indeed, and to refer to a member's absence is not acceptable. I would ask her to stop referring—

*Interjection.*

**Mrs Marland:** We have lots of debates on government bills in this House and there's not even one cabinet minister present.

**The Acting Speaker:** Thank you to the member. It is a tradition that we do not note who is here and who is not, but we do have another point of order.

1540

**Mr Gordon Mills (Durham East):** On a point of order, Madam Speaker: I'd like to put on the record that when the leader of the third party left, he said, "I wouldn't stay to listen to your nonsense for all the tea in China." That was a direct comment to the minister and I think that should be on the record.

**The Acting Speaker:** That is not a point of order. I would appreciate the Minister of Health resuming her comments.

**Hon Mrs Grier:** I think, for New Democrats, protecting the health care system of this province is one of the responsibilities that we take most seriously in all of the responsibilities that becoming the government thrust upon us with great excitement four years ago, because as many people in this province remember, it was because of Tommy Douglas and it was because of the CCF and then the NDP in Saskatchewan that we have universally accessible coverage for medical expenses in this province, in this country, something that as Canadians we're very proud of, something that here in Ontario we're very proud of.

It is a program that we cherish and that we're very proud of, and we are always nervous when anyone suggests changing it because we are so proud of it and because it is so good. When we became the government in 1990 and faced the responsibility of looking at this health care system, we realized that all was not well, that we were spending \$17 billion a year on health care, a third of our provincial expenditures, 33 cents of every taxpayer's dollar on the health care system, that those costs had been increasing at the rate of 8% or 10% or 12% throughout the 1980s, at a rate that was not sustainable given the economic situation that we faced in 1990, and that despite those ever-increasing costs there was no empirical evidence that the health of the population was improving. Life expectancy was not increasing; infant mortality was not necessarily decreasing.

There were numerous reports throughout the late 1970s and the 1980s—Dr Evans, Spasoff, Podborski, the Premier's Council established by the previous government and continued by us—that said that throwing money at the health care system was not necessarily the way to improve the health of the population of the province of Ontario. What was needed was some careful management and planning of the health care system and a shift from an emphasis on hospitals and professionals to a more community-based care, particularly to looking at how we prevent people from getting sick in the first place, how we educate people to take responsibility for their own care, how we give people a sense of responsibility and empowerment over their own health and over the health care system.

So we continued what had been begun, and I see that the member for Oriole is in her place and I'm sure we're going to hear from her because many of the initiatives that we have continued, accelerated and built upon were gleams in her eye, I suspect, if not already begun at the change of government. They were consistent with the directions that we have followed, though I would venture to say that we have followed them more aggressively, more democratically and more effectively than any other government in this country would have.

When medicare came in, it really didn't change the way in which the system had grown over time. It didn't nationalize doctors; it didn't nationalize hospitals. It merely meant that the provincial government started paying their bills and that the unplanned growth based on the philosophy that more is better and based on the autonomy of many of the players in the system, an autonomy that is a useful balance because we have a health care system that is not monolithic—we have hospitals run by volunteer boards, we have self-governing professions who provide excellent-quality health care. But the system had grown; it had not been planned.

The imposition of some planning, increasing the mandate of district health councils, beginning to look at restructuring in the light of both what was recommended for the health care system and what was the experience of countless public and private corporations in this province over the late 1980s and the 1990s, and that there were more effective and more efficient ways of doing things, were things we began and that we have continued very successfully.

By virtue of the fact that we were prepared to do that and that we were prepared to give the provincial framework and policies within which those changes should occur, that we were prepared to acknowledge that health was more than the absence of disease, that it was a state of wellbeing, with a broader definition and broader determinants of health, as many of my colleagues in cabinet move forward on legislation, whether it be for increases in housing and rent control, whether it be environmental, whether it be social support systems, all of that contributes to the health and the wellbeing of the people of Ontario.

We have, I think, dramatically changed the attitude towards health, the understanding of health, and we have been enabled to expand significantly those aspects of our health care system that deal not only with treatment and curing people who are ill but with preventing people from getting sick in the first place and, more importantly, with treating them in settings other than hospitals.

To do that has meant that we have made some shifts in spending, and we have looked very carefully at how we have been spending. That has made some people who perhaps took advantage of the fact that we had been a very generous province, that the Ministry of Health essentially in the 1970s and 1980s merely signed the cheques without paying any attention to whether or not the cheque they were signing was the most effective way to spend those precious taxpayers' dollars or did in fact contribute to good health in the population as a whole—when, as I've said, a system is as cherished and some-



thing which people are as proud of as they are of our health care system, any change is seen as somehow damaging and undermining that health care system.

But the point I want to make is that for this government, nothing could be further from the truth. For this government, the principles of the Canada Health Act are supreme and govern all of our actions in maintaining a universally accessible, publicly funded, publicly administered health care system for this province and for this country.

As members will know, an action has been taken in the courts because of the change that we made in what we pay American hospitals and other hospitals out of country for Ontario residents when they are travelling abroad, and so I am prohibited from commenting on that particular legal action.

Let me say to the member who put the motion before us today that any changes we've made have been designed to protect our health care system for those people who perhaps can't go south every winter, for those people who are forced not to have a holiday at all, whether it be south or in Europe or anywhere else; for those people who are fortunate enough to be able to go south, to make sure they have a health care system when they return, because they do return and we do not close down a hospital bed when somebody goes to Arizona for six months. We keep it here, and we keep the professional and we keep the investment in our health care system so it will be there when they return and for their children and their grandchildren who may still be here.

With the saving that we have made by changing what we pay for out-of-country rates, we have made considerable investments in the health care system here in Ontario, and I want to talk a little bit about that.

We have expanded the range of professionals in our health care system by funding midwives, the first province to do so, the first province to pay for the training of midwives, to pay the salaries of midwives when they attend the perfectly normal and natural function of giving birth, something that used to be done in high-tech surroundings regardless of the need. Eighty-five per cent of the births in Metropolitan Toronto are normal, not requiring intervention, and midwives are trained to know when intervention is required and to make the appropriate referral. We were able to add that on to the health care system because of some of the changes that we made.

We have given enormous attention to cancer, a disease for which, despite all of the emphasis and all of the research, we have not yet found a cure, a disease where the increase in incidence keeps growing and where the demand as a result of new technologies is for ever better and more effective equipment, services and cancer centres close to where people live. I know some of my colleagues in the House today will talk about that and will talk about the investment that we have made in cancer.

1550

We have been faced with the fact that we have an aging population; 12,000 or 13,000 residents of Ontario turn 65 every month and those who turn 65 remain alive longer than my grandparents did, because we have

increased our longevity. As those demographics change, the need for services to the elderly mounts.

There are many people who used to go south every winter but who now are too old or too ill to go south and who need ever-increasing services here at home and ever more expensive services here at home. Our reorganization of the long-term-care system, the creation of a system and then its organization in a more effective way, which is part of the work we're doing with Bill 173 that is currently before this House, is designed to meet those needs and those changing demographics and is a policy behind which we have pledged and put dollars. We will increase, by next year, by \$600 million a year what we spend on our long-term-care system. Within that \$17 billion which we still spend on health care, we have made those shifts.

As people get older, the incidence of kidney disease increases. The need for dialysis is growing at 10% a year. That is a need that must be met, that is a need that must be planned for and that is a need that we have been enabled to put money behind because of our better management of the health care system, because we've been prepared to look at some of the traditional expenditures, where people out of country were able to have all of their expenses covered, no questions asked.

Let's be frank about it, many jurisdictions took advantage of the fact that Ontario residents had full coverage. We have all had anecdotal stories of people who when they were hospitalized, particularly in the United States, were perhaps hospitalized for longer than they might otherwise have been because in fact the province of Ontario was paying the full freight. We have had that time and time again.

As a result of the changes our government has made in our payments for out-of-country health care expenses, we have made dramatic savings—let me say that again to the members of the third party: dramatic savings—and I want to put them on the record: In 1990-91, the total expenditures out of country were \$236.4 million; in 1991-92, \$309.8 million; in 1992-93, \$106.4 million; in 1993-94, \$70.9 million.

As a result of those savings and the changes we've made, we have increased our capacity here in Ontario to provide some services for which we paid US hospitals predominantly. For example, my announcement last week that we would add 22 MRIs to the 12 that currently exist across the province will result in the future in far fewer people having to go south of the border for MRIs, particularly from the northeastern and northwestern parts of Ontario, because we're building the capacity here in Ontario through the saving that we make by better management of the health care system. That's what I think the people of this province want, not a chequebook approach to health care that enables us to pay bills for people who are fortunate enough to be out of country.

We heard a lot from the leader of the third party about the fact that this was a change made on the backs of the poorest, the seniors. Maybe in his constituency, but certainly in my constituency, the poorest of the seniors don't go to Arizona for six months. They stay here and they need care here in Ontario.

It's interesting again, if you look at the facts, something that time and time again the leader of the third party seems incapable of doing, because all of us on this side have stood up time and time again in response to questions that have been put to us by the leader of the third party and preambles to those questions that show a total absence of facts. Let me put it at its kindest.

Last year, 1993-94, of the \$70.9 million that was spent on out-of-country health care, only \$13.8 million was spent on people over 65. The vast majority of that expenditure, \$57 million of it, was spent on people who are not senior citizens.

Maybe they're poor. Some of them are going for services for acquired brain injuries or for drug rehabilitation that we are not yet providing here in Ontario but where we have begun to build an infrastructure and provide those services so that we no longer have to funnel taxpayers' dollars from Ontario to institutions south of the border. Some of them are business people, people who are travelling and who have insurance, as has everybody who leaves the province, because nobody for decades has travelled out of Ontario without having health care insurance.

So the decision about whether we change the out-of-country hospital rate we pay and the saving of \$20 million that we got for that was based on the firm knowledge that anybody affected by that would already have private insurance. As my colleagues federally and provincially concluded where this issue was discussed at our last federal-provincial meeting, and I read from that communiqué:

"Currently, Canadians who travel outside the country are covered by a combination of private insurance and provincial territorial plans. Ministers have requested their deputy ministers to continue their examination of the issue of coverage for Canadians travelling abroad."

That was the conclusion of discussions of this issue by all 12 provincial and territorial ministers and the federal minister. There is no consensus as to what appropriate rates should be and every province pays something different. Ontario is not the lowest and was not the highest before we made the changes that we made. I'm sure members will recall the gloom and doom when we made our changes about what would happen to insurance rates: They would skyrocket out of all ability of any senior going south to pay for them.

Let me quote from a column by Prior Smith, who is host of a daily Canada Calling radio broadcast to Florida and Arizona, a column that was written earlier this year:

"As recently as June when the Ontario government dropped its out-of-country limit from \$400 to \$100 a day...there were fears that travel insurance rates across the country would go through the roof. What's happened? Exactly the opposite." As of this week, those who shop around for their trip south this winter find a saving of 25% to 30% from prices quoted last year, providing they can qualify.

"In recent weeks, rates have been dropping like 10 pins," and "Now there's a host of players in the travel insurance game ranging from banks to seniors' advocacy

groups." Conservatives, the party of business, private enterprise, competition, are now arguing that government should cover something in which the private sector has been dropping their rates.

A similar conclusion was reached by an article in the *Financial Post* as recently in September, when it said:

"Gearing up to go down south this winter, healthy snowbirds under 80 will probably find prices for out-of-Canada medical insurance down from 20% to 25%. In a few cases, reductions are up to 50%."

I rest my case with respect to this.

What I do want to say is some comment on the Common Sense Revolution that is part of the election platform put forward by the leader of the third party, the Common Sense Revolution, let me say to you, that when it comes to health care is based on a proposal that there be \$400 million a year added to the health care system.

Guess how? By raising a \$400-million-a-year fair share health care levy, a levy on the people of this province in order to pay for their health care. If that isn't user fees, if that isn't a violation of the Canada Health Act, I don't know what is, and that is not something this party is ever going to support.

The other part, of course, of the Common Sense Revolution is that there will be a dramatic slash-and-burn in costs. There will be a 20% reduction over three years in government spending. But Mr Harris, were he here, would say they're not going to cut health care, they're also not going to cut law enforcement and they're not going to cut education spending in the classroom. I understand that just last week when Mr Harris appeared before a meeting of the Ontario Federation of Agriculture, he told that audience they weren't going to be cut either.

1600

If you're excluding health care, if you're excluding law enforcement, if you're excluding education spending and you're excluding agriculture and you're still going to cut government spending by 20% over a three-year period, you don't have much left to cut from. Mathematics have never been my strong point, but out of \$50 billion or \$55 billion expenditures, if you're making all of those exclusions, you're taking far more than 20% off all the rest of the budget.

Perhaps the leader of the third party will tell us what he's going to cut out. Is he going to cut out the Ministry of Environment and Energy? He certainly doesn't say anywhere that it's going to be protected. Is he going to cut out Culture, Tourism and Recreation? Nowhere does he say that's going to be protected.

**Mr Jim Wilson (Simcoe West):** You're getting warm.

**The Acting Speaker:** Order.

**Hon Mrs Grier:** We know that he's going to cut out the Ministry of Labour because there is no commitment from the third party for the protection of workers' health and safety, for the democratic rights of workers or for the protections that we and workers in this province have struggled to build over so many years. We know that will go.



What else will go? You know what else isn't protected? Transportation. Is the Conservative Party, the party that ran for 40 years on building highways everywhere across this province, whether they were required or not, going to eliminate transportation? Because they're going to have to do that if they are in fact going to cut expenditures overall by 20%.

**Mr Jim Wilson:** Before you criticize the book, read it.

**The Acting Speaker:** Order.

**Hon Mrs Grier:** I hear the third party has now been aroused and is saying that I haven't read the document.

*Interjections.*

**The Acting Speaker:** Order. Would members come to order. Each member of the House has the opportunity to put their debate forward. We would finish the Ministry of Health.

**Hon Mrs Grier:** Not only have I read the document, I have watched what another government led by a Conservative Premier is doing to health care in this country, and I refer to the Common Sense Revolution's first cousin in the province of Alberta, a province where there has been an all-out assault on social programs and public services, a province where there has been a deliberate assault on democratic rights—

**Mr David Turnbull (York Mills):** They've got 62% of the people behind them and you have 15% of the poll.

**The Acting Speaker:** The member for York Mills is out of order.

**Hon Mrs Grier:** —and on anybody's ability to participate in the planning process, a province where there has been a transfer of control of authority and of capital to the private sector.

*Interjections.*

**The Acting Speaker:** Order.

**Hon Mrs Grier:** I think what is happening in Alberta gives us the key to what the effect of the Common Sense Revolution would be here in Ontario.

We have in Alberta the spectacle of hospitals being closed, of services being gutted, of workers being laid off, with no restructuring plan, no process such as has been going on here by volunteers and citizens in cities across the province, whether it be Windsor, Thunder Bay, Sault Ste Marie, of people coming together to plan for the health care system of the future. Not in Alberta: Slash, you're dead. Your hospital's closed.

There have been no new models of the delivery of health care. No midwives, no nurse practitioners, no Regulated Health Professions Act that acknowledges that the delivery of health care happens in many ways by many different professionals and that there are many people who are choosing less traditional ways of providing health care.

There is no provision for aboriginal communities to plan and manage their own health care services, as the aboriginal health and wellness policies of this government have begun for the first time anywhere in this country to put in place. No new models of delivery. No education, no health promotion, no district health councils looking

at the diversity of the province, at the needs of the people in those areas and working with volunteers to produce plans for a community health care framework or for a better primary care system within their particular area. No commitment, in fact, to bringing health care closer to the people. No long-term-care reorganization.

I know the third party is going to repeal Bill 173 when it becomes the government. Interesting, they're going to repeal our long-term care, they're of course going to repeal Bill 40, our labour legislation, they're going to repeal our waste reduction legislation. I forget what else they're going to repeal, but I'm sure there must be some others.

The first session, should we ever be so unfortunate as to have it, of the Common Sense Revolution will have nothing constructive to offer the people of Ontario. They will spend all of their time destroying the hard-won gains and the hard-won victories of ordinary people who for the last four years and who for the first time have had an opportunity to say what they wanted in this province, to design a health care system that meets their needs, that recognizes the diversity of this province, the opportunities for people as volunteers to have their say and to participate, whether it be in the workplace, whether it be through employment equity, advocacy—that's another one they're going to repeal, the Advocacy Act, and the Substitute Decisions Act and the Consent to Treatment Act, for the first time giving the vulnerable, giving the disadvantaged rights to speak for themselves.

That's what the Common Sense Revolution will destroy. That is what the caring and sensitive leader of the third party, as he was portrayed last weekend, means to do to the vulnerable, to the elderly, to the disabled, to the disadvantaged of this province. Those are the people our party was formed to represent. Those are the people the majority of us, in fact all of us in this party and on this side of the House, have spent most of our adult lives fighting to protect. Those are the people for whom we built a health care system, for whom we are managing the health care system, for them and for all of the residents of this province to whom we are pledged to protect and preserve our health care system for the future.

**The Acting Speaker:** Further debate? The member for Oriole.

**Mr Anthony Perruzza (Downsview):** On a point of order, Madam Speaker: For the last several minutes—and I'd like to have some ruling from you on this—there's a comment that was made by the member for York Mills which has been troubling me. He basically said something to the effect—and I'd really appreciate that you provide him the opportunity to at least correct the record—that it's okay to punish the poor as long as you have 62% support from the public. That's basically what he said. I'd appreciate giving him the opportunity to at least clear that up, because that's troublesome to me.

**The Acting Speaker:** That is not a point of order.

**Mr Turnbull:** Point of order, Madam Speaker.

**The Acting Speaker:** Let me deal with the first point of order, please.

**Mr Turnbull:** On this same point of order, Madam

Speaker: That statement by the member now is fundamentally wrong. There is nothing within Hansard, and I challenge him to say that again or retract it.

**Mr Perruzza:** He was basically misleading the House.

**The Acting Speaker:** I'd like to make it clear that the member for Downsview did not have a point of order, and I think we should leave it at that. If there is some misunderstanding between the members, maybe you could clear it up. This is an important debate, and we must proceed with the debate.

**Mr Turnbull:** On a point of order, Madam Speaker: I know that the House rules require that members not impute any motive to another member, and therefore it can be quite clear—

*Interjections.*

**The Acting Speaker:** Would the member take his seat.

*Interjections.*

**The Acting Speaker:** I've asked members to come to order. I want to clarify once again that there were no motives imputed, that there is nothing out of order. Is that clear? We are proceeding with the debate, and the member for Oriole has the floor.

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**Mr Turnbull:** On a point of clarification, Madam Speaker: Are you now telling me—

**The Acting Speaker:** A point of what?

**Mr Mills:** Clarification.

**Mr Turnbull:** Or a point of order, Madam Speaker: By way of clarification, I want to understand whether the words which were inaccurate which the member uttered about me will be struck from the record of Hansard.

**The Acting Speaker:** To the member: Many times in this House there are differences of opinion.

**Mr Turnbull:** It's not a difference of opinion.

**The Acting Speaker:** No. I have made it clear, there are differences of opinion and that is strictly what this is. I have ruled. Thank you.

**Mrs Elinor Caplan (Oriole):** I rise to participate in a debate on a very important issue to the people of the province of Ontario and that issue is the Ministry of Health policy under the NDP on out-of-country Ontario health insurance plan payments.

I'd like to start by saying that I have some history and some knowledge about the progression of health policy in this province and, for anyone watching who may not be aware of it, I had the privilege of serving as Minister of Health from 1987 until 1990.

I want to put on the record at the start of this debate that when the Ministry of Health changed its policy to limit the payment to \$400 per day for emergency inpatient hospital treatment and \$55 to \$400 for emergency outpatient services, as well as \$293 for dialysis services, it did so because that was the comparable rate in Ontario. That complied with the Canada Health Act. For those who are watching, not only did I support that move, but it had been one which I had intended to

implement and we were on the verge of implementation when the government changed.

The reason that we did that was for many of the concerns that I had, and that we had, about the abuses, the type of care, the appropriateness of care, the quality of care, as well as the very significant rising cost of out-of-country payment, and the numbers that have been stated are, indeed, accurate.

Having said that, at the start of this debate I would like to be very clear, and I'm pleased that the minister is here to see it: I am opposed to the NDP's move to further limit, well below what the existing costs are in Ontario—and, in my opinion, in contravention of the Canada Health Act—out-of-country emergency medical coverage. The reason that I oppose it is because I believe that it is the wrong health policy. I believe that it erodes the protections of the Canada Health Act.

I listened very carefully to the Health minister's debate, and as we take a few minutes to discuss the motion that is before us, I would like to make some comments that may stray a little bit, as the minister did, from simply the issue of out-of-country emergency medical payments. I would like to take the liberty, as the now minister did, to deal with some of the history and let you and this House know why I feel so strongly that the NDP's health policy in this area, for emergency out-of-country health payments, as well as other areas of health policy, is very, very wrong and run contrary to the protection of medicare that the minister has so eloquently said she is defending.

I listened very carefully as the minister spoke. She spoke of the history of the development of medicare. She talked about the fact that Canadians cherish our medicare program and, on that score, I agree with her. The history is accurate. The fact that medicare is cherished by Canadians is accurate. However, what I am concerned about is that her words do not match the deeds of her government and they do not match the deeds that she has carried out as Minister of Health in an NDP government.

I would say that many people, when I discuss these issues with them, are quite confused and really confounded because they don't believe that an NDP government would do some of the things that it has done and continues to do, because the end result of that has been the dismantling of medicare as we know it.

I'd like to point out for the record what the principles of medicare are and I will then explain to the minister and others who are interested how I see the erosion under this government and how I'm concerned that we have seen medicare threatened in a way which should concern us all.

The principles of medicare are universality, public administration, reasonable access, portability and comprehensiveness. Those are the five principles that were enshrined by a rare unanimous vote in the federal Parliament in 1983 when the Canada Health Act was enshrined.

There are two areas where we have seen erosion of those principles of medicare under this NDP government. I would tell you that I think the founders of medicare, many of whom were strong NDP and CCF, as the



minister said, are spinning in their graves because of the policies of this government, and I will articulate exactly where they are.

On the issue of comprehensiveness, what we have seen as a policy of the New Democrats has been one of delisting, de-insuring and the encouragement of third-party payment and private sector insurance companies. The reason that I'm so concerned about this is twofold. First of all, medicare is about taking care of people and giving them the care they need when they are sick. I also believe that medicare should be about improving the health of our population, and therefore I have been very supportive of health promotion and disease prevention activities within medicare.

What is also a concern is the fact that the primary feature under the notion of public administration is the notion of a single payor. We never had a true single payor for all of those things that the OECD counts when it looks at total health expenditures. Historically in Canada, and in fact when I left the Ministry of Health in 1990, the ratio of public payment versus private payment was about 75% payment by the taxpayers from the provincial treasury and 25% from the private sector, from the individual and from businesses in the forms of other payments; as we have discussed, those items that were, for a number of reasons, not covered.

What we have seen under the NDP has been a shift, as the minister said, but not the shift only in the way she has described. We have seen a shift from payment by the single payor from the public purse, from the publicly administered system, to the private, third-party, individual and business sector of our society. The numbers today are no longer 75% from the public sector, 25% from the private sector. Today, after over four years of NDP government in Ontario, we have about 64% paid for from the public purse and 36% paid for from the private sector.

That is a tremendous concern, because what you find when you delist and de-insure and force the costs into the private sector is that it is primarily business that ends up paying those costs, and that threatens job creation and that threatens our competitiveness. There are many health policy experts who are as concerned as I and who have been attempting to raise this issue and advising governments that if you want a healthy economy and you want job creation in the private sector, you must not push your costs from the public budget into the private sector.

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We have seen the share of the gross domestic product that was being dedicated to health expenditure in this province rise from 8.5% to, today, in excess of 10.5%. When you consider gross domestic product, a dollar is a dollar is a dollar. It doesn't matter who pays. Therefore, when the Minister of Health and Bob Rae talk about how they have contained expenditures and contained health costs, that is simply not the truth. It's not factual.

We have seen health expenditures rise as a percentage of gross domestic product, and that is not good for our health as a society because that has affected our competitiveness and our ability to see jobs created in the private sector. I know that that's a difficult argument for people to understand, but when the minister talks about

her defence of medicare, we have seen an erosion of medicare because of this policy of de-insuring and delisting and adding costs to those who are not covered by the Ontario Health Insurance Plan.

This relates directly to the out-of-country policy that we're talking about, because that is an area where we have seen a very significant shift from the cost paid for by the taxpayer as part of their universal coverage, and we have seen it move directly into the private sector where people are having to buy insurance and companies are insuring their executives.

On this issue of out-of-country coverage, it is not just senior citizens, although they do have a special interest, and they have a very real concern. Their special interest is that we know that about 40% of all of our health resources go to seniors because they have special care needs, and as people get older they need to use the health system more because they have more chronic disease. We all tend to deteriorate a little as we get older, and so we need the supports of the medical care system to treat our illnesses. We know that. That's a reality.

But there are many business people and individuals in this province now who are—and who should be—forced to buy private sector insurance even if they go out of the province for one day, for one hour. If they have an accident across the border, then they are not covered at a sufficient amount. And for people living in border communities, people living close to the border who make trips across that border on a regular basis, how many of them even think about making sure that they have private sector coverage for that one-day trip, for that few-hour trip across the border which is just part of their lifestyle?

I think of people living in the Windsor area, people living in the Niagara area, people living in the Sault Ste Marie area or in the Sarnia area. These people cross the border to go out for dinner. They just go across for a picnic. And I've warned them and I've said very clearly that they are in jeopardy if they leave this province without adequate private sector coverage. If they have an accident, the Ontario Health Insurance Plan will no longer protect them. That is a violation, in my view, of the portability guarantees of the Canada Health Act.

I'm going to read to you exactly what the Canada Health Act says so that anyone watching this debate can decide for themselves whether or not the NDP government in Ontario has contravened the Canada Health Act. The act states, and I quote:

"Where the insured health services are provided out of Canada, payment is made on the basis of the amount that would have been paid by the province for similar services rendered in the province."

That's very clear. The Canada Health Act requires that you pay the same amount for out-of-country emergency as you would pay for in-province emergency. The people of Ontario who are covered by that Canada Health Act and expect portability as one of the enshrined principles of that act to be honoured by the government of Ontario, they see the erosion of medicare. They see the betrayal of that principle and they know that this government has not lived up to its obligations to the citizens, notwithstanding what the minister says.

As I said, I listened very closely. Many of the things that she said I think were probably lifted directly out of speeches that I made in this House and that I made during my three years. Much of what she said, particularly at the beginning of her remarks—

**Mr Mills:** It's true.

**Mrs Caplan:** Yes, it's true, and the member for Durham East is sitting there saying, "It's true." Anyone who was in this House or who read my speeches will know that I said many of those same things. But there are many, many things that the minister said that I do not support, that I did not say, and I want to be very clear that when it has come to implementation of many of the initiatives that I began, I do not support the way the NDP has begun implementation. I do not support their plans for long-term care. I do not support the delisting, the deinsuring policies of the NDP.

I would say to the minister that in the fact that I am suggesting that you pay the same amount for out-of-country emergency services as you do for in-country services, I am not suggesting that you have to spend more. I have said before and I will say today that I believe there are sufficient resources within the \$17 billion we are presently spending on health care in Ontario. We have enough to ensure that people are fully covered under the Canada Health Act when they travel out of the province, whether it is for one day or for a month. We have enough resources. Where should we find it? It is well documented. The minister herself said it. The minister before her said it. I said it. Epidemiologists and health researchers have told us that approximately one third of all of the services that are provided presently are considered inappropriate, unnecessary and wasteful. And that estimate of 25% to 33% of \$17 billion is approximately \$5 billion.

The minister has said, and I have the number here, that she believes she has saved about \$125 million or \$130 million with her out-of-country payment policy, which has restricted the reasonable access, which has restricted portability and threatened comprehensiveness of Ontarians, when if she had put in place the kinds of structures that would allow for reallocation from that which is clearly inappropriate, unnecessary and wasteful, she would have had enough money to live up to the Canada Health Act. She would have had enough money to see to it that people got appropriate and needed care whether they were in Buffalo or whether they were in Florida for a month or whether they were in Arizona.

There are many things that I would like to say about this. I know that many of my colleagues would like to speak, and so I'm going to end by saying that I think the ministry should stop trying to solve its problems by betraying the principles of medicare and saying one thing to the taxpayers of the province of Ontario and doing another. I also believe there are a number of health policies which the minister has not followed through on which would have yielded the resources to be able to support these kinds of initiatives without adding one new dollar to the amount we are already spending.

I believe her policy on out-of-country emergency medical payments is illegal. I think it unfairly targets our

senior population. I've had many calls from senior citizens in the riding of Oriole, but others who make short trips to the United States in particular and those who travel outside of the country. What her policy is effectively saying is that only those who are rich can leave the province and feel secure, and that is wrong. I do not support the minister's policy and I will be supporting this resolution before the House today.

1630

**Mrs Dianne Cunningham (London North):** I suppose one of the things we have learned since coming to Queen's Park in the last five years is that this government still believes it has a monopoly on caring for the citizens of this province. I can tell you that this health care policy to take away the privileges that citizens have earned over the years to be protected under the Canada Health Act under emergency situations when they leave their province of Ontario, to take away good health care in emergency situations is in fact not supporting the principles of the NDP. I can tell you, as the minister talked about protecting the health care system with her references to Tommy Douglas, he, of course, would not support this violation of the Canada Health Act. That's what we're really talking about today.

I should say that deinsuring medically necessary services—what we're talking about today are not the everyday health care problems that would be taken care of by people who actually live out of the province for a certain length of time. I want to make it clear, we're talking about emergency. Emergency is a matter of life and death.

This is what is being taken away, the OHIP coverage for people in emergency situations; not just seniors, not just young people, but family members and citizens who may have an opportunity for a one-day trip, who may have the support of a family, if they're elderly, for a vacation away, who may even be following doctor's orders—which used to be a common term around people's households as we were all growing up, "doctor's orders." If you are ordered to a more safe climate for whatever your health problem may be, whether it be asthma, whether it be a heart problem, whether it be arthritis, you can be assured, if anything happens to you in an emergency situation, then you will not be covered by the province of Ontario's OHIP plan any more.

How could the minister possibly stand up today and talk about her government, the New Democratic Party, Tommy Douglas, preserving—and I think I can use her words very carefully; in fact, I wrote them down—protecting the health care system? This is not protecting the health care system. As of June 30, 1994, the province will pay only \$100 per day to individuals who need, and I underline this, emergency hospital treatment when travelling outside Canada.

The current rate is \$400 per day, which reflects the amount that hospitals in Ontario charge per day for a patient to stay in hospital. This is a blatant violation of the Canada Health Act. Actually, it isn't \$400 everywhere, but it's the amount this government has deemed to be a correct amount and we're not arguing with that at all.



But this is a blatant violation of the Canada Health Act. No one has said otherwise. The federal minister has had that opportunity and the Minister of Health of Ontario today said that all of the health ministers were looking at, I think she said, a solution or the studying of this certain situation. Then, at that point in time, I think it was called studying the issue of Canadians travelling abroad. We do not have a recommendation from the federal minister.

I might add, the Liberal member for Oriole—I'd like to know what the Ontario Liberal Party is doing to help with regard to this issue by lobbying or perhaps persuading the federal Liberal Minister of Health in this regard. I personally have not seen any action in that regard.

Section 7 of the Canada Health Act states, "In order that a province may qualify for a full cash contribution referred to in section 5 for a fiscal year, the health care insurance plan of the province must, throughout the fiscal year, satisfy the criteria described in sections 8 to 12 respecting the following matters: (a) public administration; (b) comprehensiveness; (c) universality; (d) portability; and (e) accessibility."

This action, on behalf of the government of Ontario, does not, in anyone's opinion—because we haven't heard otherwise—support the Canada Health Act. The portability requirement alone makes the point that this is a system designed to provide reasonable health care for Canadians wherever they might happen to be, and contains two elements, and I think it's important to understand them: (1) Provincial governments must cover those citizens who require medical treatment while travelling in another Canadian province. (2) Provincial governments must cover residents travelling outside Canada, and I underline this, "on the basis of the amount that would have been paid...for similar services rendered in the province."

The government's cutback clearly violates the spirit and the principles of the Canada Health Act and undermines the whole notion of fairness. I say bravo to the seniors for deciding to sue the Ontario government for slashing and burning—imagine—out-of-country emergency medical coverage, because that's what it is, with no warning.

As one London North constituent put it, and I'm sure we've all received these letters: "If we are forced to remain in Ontario for 12 months and if we take sick and we are hospitalized in an Ontario hospital, this total cost would have to be paid by OHIP rather than an insurance company covering us outside of Canada."

How much money will the government actually save when the rates of hospitalization in Ontario increase, when many of these seniors become more ill or are injured due to our harsh winter climate, especially those under doctors' orders?

Another constituent wrote: "It seems extremely unfair to be covered in an Ontario hospital for \$400 per day, but \$300 less per day if you should have the misfortune to become ill"—remember, we're talking about emergency here; this government doesn't want to cover our citizens in cases of emergency, even for one day, or longer, my goodness—"if you should have the misfortune to become

ill or be in an accident outside the province.... It appears our own government is building a rather transparent Berlin wall through which the citizens of Ontario must not pass, except under threat of possible severe financial risk." I'm quoting from one of my constituents; perhaps my colleagues in London have had the same letter.

I'd just like to close my comments today by saying that our leader, Mike Harris, wrote a letter to the federal Liberal Health minister asking her to intervene and impose the sanctions outlined in the Canada Health Act, and she effectively washed her hands of the situation by choosing instead to monitor the situation. If in fact the federal government is studying the issue of Canadians travelling abroad, why then would we not find a solution to that before this government took this kind of action? We don't have a solution.

You should also know that there are other provinces in Canada that have broken the Canada Health Act in the past, and Alberta was one of them many, many years ago. That has not been the action of this province, to my knowledge, at this point in time. This is the first time, in the research that we did, that we have knowingly broken the Canada Health Act. There are other provinces that have done that but not this one.

According to the Council of Ontario Universities, the elimination with no warning of OHIP coverage for foreign students and faculty is a huge backward step. These people bring a wealth of experience, talent and diversity of culture to our country. Why should they have to put up with this with absolutely no warning? The universities had to be pay for those students for a short period of time up until June 30 of this year, and then they too will have to find another solution.

It is with, I think, a lot of concern that this motion was put before the House today on behalf of our leader, Mr Harris, and we are speaking on behalf of the seniors, the vulnerable and the disabled, who in fact may be more vulnerable given this action by the government. So I don't think that we have to stand here today and listen to the Minister of Health once again talking about the monopoly of caring for this government. They clearly have shown with this action that that is not the case.

1640

**Mr Mills:** It's a pleasure to stand here this afternoon and debate this resolution. This morning I had the opportunity to stand in my place and talk as a grandfather about a private member's bill that dealt with grandparents. This afternoon it's my pleasure to stand in my place again and talk about a bill that deals with seniors, and I'm a senior. It deals with people who go to Florida, and I certainly go to Florida. It deals with people who own property in Florida, and I own property in Florida. I'm also a member of the Canadian Snowbird Association, so I think I'm very qualified to speak to this.

When this was first introduced, and I'm not going to hide the fact—and the Minister of Health is there—I became quite cross about it, and I said so. I told the folks back in my riding that I was cross about it and I wrote one or two articles about it. From those articles, believe it or not, I got quite a lot of letters coming from seniors on the other side of the fence.

They said: "Gord, we appreciate the way you stood up for seniors etc and we appreciate the way that you speak for us. But listen. We don't go to Florida. We don't go to Arizona. We stay put where we are and we feel a little put out about you going on about this and in fact the health system would have to subsidize those folks who go south."

You know, Mr Speaker, reasonable guy that I am, fellow, I thought about that and I think it's a poor day in the world today when we can't take a second look at some of the things that we've said in the past. I know that in the past when our whole sort of health care system became threatened with ever-burgeoning costs—it's \$17 billion now—and there was some discussion about possibly some user fees on some drugs for seniors, I went completely bonkers over that, because I come from an era in England where I was brought up under the panel system, and I tell you that any mention of any user fees for drugs or health care sends me right off the deep end. I don't mind telling you that.

But then I had a discussion with the Minister of Health, a very frank discussion, and she said: "You know, Gord, you can't have it every way. You can't have dialysis machines, we can't improve the care for seniors, we can't look to all those great things and at the same time provide out-of-province coverage for the other seniors who want to go to Arizona or who want to go to Florida."

Then I had a change like on the road to Damascus. I became impassioned in the drive to bring cancer therapy, radiation therapy, to my community that I share with the other members in Oshawa. I became passionate on that issue; it absolutely engulfed me. I became involved with the cancer care committee. I spoke in the Oshawa mall. I attended meetings. I absolutely made the honourable minister's life a living hell with pressing her: "What is going to happen? When are we going to get radiation therapy to Oshawa?"

I can speak about that because I have suffered through radiation therapy and I know what it's like. I know what the trials and tribulations are of travelling every day. I travelled for over 30 days, every day, to Toronto to get a minute shot of radiation, and it made me very ill. I was determined that I was going to do something about cancer treatment in my riding; as I say, my conversion on the road to Damascus about how we can't keep spending money on everything, that we have to concentrate on things that are for the betterment of society as a whole.

Then I remember going to the minister the last time and saying, "Ruth, what about the cancer centre at Oshawa?" She said: "You can't have everything. You can't have everything. We've got to maximize and manage our resources and our health care so much better." I then became an advocate for that radiation therapy coming to Oshawa and I also became an advocate of the way that we have to manage our health care resources.

During constituency week, I made it a point to go and speak to as many seniors and seniors' groups as I could possibly fit into my schedule. Of course, you go and talk to seniors and the uppermost thing in their minds, most of them, is this cut in out-of-country coverage and the

fact that they see their way somewhat limited to going south. I remember I said to them, "Look at the letters. It says O-H-I-P. It doesn't say F-O-H-I-P. You get the message? This is for the people in Ontario."

While I'm talking about Florida, I want to mention my good friend and colleague the member for Scarborough East, Bob Frankford. Bob, who is behind me, has been a great help to seniors in trying to come to grips with the Florida authorities to see if we could work out some sort of arrangement where we could get better coverage.

**Interjection:** Reciprocal.

**Mr Mills:** Reciprocal coverage. The trouble with the folks in Florida and in Arizona is that they don't charge Canadians what they charge Americans. They charge us double, and that is what makes it a real problem about paying for health care down there.

If it were the same, if we could get the same fees they charge their people on the American sort of health medicare, we could do something, but they refuse to do that. My colleague has worked hard and long. He's spoken to the governing authorities down there, but they won't come across and they won't help us. That is the real problem about user fees.

I want to get back to my talks with the seniors. I've heard the rhetoric from the third party and I shudder to think of what's going to happen in son-of-Ralph's province if he ever became the Premier of this province as I look at the terrible statistics and the things that have happened in Alberta already.

I just read the other day of a man who cut his foot in a lawnmower. He waited 17 hours before he could get hospital treatment. The hospitals were closed, the nurses were laid off and eventually he lost the toes on that foot. I think Ontarians are caring and they want the services we provide, that this government provides. I don't think they want the harsh, terrible climate that there is in Alberta. I think Ontarians are much more caring people.

As I explain this to the seniors, what was happening in Alberta, I only wish there were more hours in the day, because I'm convinced that if there were more hours in the day that would allow me to speak to the seniors in my riding individually, I'd be able to convince them that this is all about health care in Ontario. We've got to save it as we have and we cannot go on.

I said to my peers: "Let's look at this way. Your government gets so much money in. Health care is costing us at the moment \$17 billion a year. It's very, very expensive. We've controlled those costs. We have made an arrangement with the doctors of Ontario. We gave them \$4 billion a year to manage their affairs. We also give X number of dollars to all the hospitals all over the province of Ontario to provide the services that Ontarians expect."

I said: "George, when you go down to Clearwater and you twist your ankle and you end up in hospital and your outfit bills OHIP—they even charge you for Kleenex down there. They do; it's awful—"when that comes up, where are we going to get the money from? We've already given out all the money that we can to serve Ontarians. We've given the money to the hospital. We've



given the money to the doctors, to the specialists, all those people. How on earth are we going to get money to pay for your accident in the United States?"

He said, "You know, Gord, that's a good question." I said: "I'll tell you how it's come. We would have to cut some other health care services in the province of Ontario and it would affect all those people who don't go to Arizona, who don't go to Florida, and you and I and the people who don't go will be picking up the slack."

You know what? The penny drops. People say to me: "Do you know, I never thought of it like that. I didn't know that."

We heard the minister talk about this outrageous claim that health care costs would go sky-high, that no one would be able to afford to go south. That isn't true. It's not happening. I'm not going to give an advertisement for the insurance company that my house is in, but I have a little tick on my house insurance that says I can get 30 days' coverage in Florida for \$45. What a bargain. You've got to search. You've got to look around.

I know my good friend and colleague the member for Durham-York, the parliamentary assistant to the minister, wants to say something; I think I've said enough.

1650

**Mr Robert V. Callahan (Brampton South):** It's a pleasure to join in this discussion, because you're talking about people who I think have worked hard and long in this province, people who have given of their energy and their abilities and their resources to this country and this province and now, after having done all that and having perhaps the opportunity to travel south—not everybody travels south every year; perhaps they travel even to Buffalo just for a shopping trip, and if they drop over to—

*Interjection.*

**Mr Callahan:** The member for St Catharines-Brock is suggesting that there is insurance to cover those people. Well, that's fine, there's insurance to cover all of us, but that still doesn't meet with what I'm suggesting.

Here are seniors who have given all of this to the benefits of Ontario; they've worked hard, they've had businesses, created jobs, they've worked in all of our industries, in our plants, in our professions, and they then reach the golden age of being seniors—and not all of them are rich. For some reason there seems to be this misconception that every senior in this province is just rolling in money. It's not the case.

I think the concerns that I've got are these: Let's say a senior decides to take a trip to Buffalo. Now, not everybody is up on what's going on in this province. In fact, many people in the House are not up on what's going on in this province. How can we expect them to necessarily understand that the minute they take that one-day trip to Buffalo or to Rochester or to Chicago or whatever and they don't take out health insurance, and God forbid they suddenly are struck with an illness and they wind up in an American hospital and in fact perhaps are in a position where they can't be removed from that hospital for a period of a week or two—it could in fact bankrupt many seniors.

The amount of \$400 that was previously the order of the day is not a lot of money in terms of what the US hospitals charge. In fact, paying the balance, paying the difference for a senior, or anyone else, can cause considerable injury to their ability to be able to survive back here in this province.

When Tommy Douglas, who was a member, oddly enough, of the New Democratic Party government—and I'm sure Tommy, as he's smiling down on us, would consider what's being done by this provincial government and others, other provincial governments who are of an NDP stripe, outrageous. He would be as upset as Mel Swart is about some of the things you've done as well. He would say that you have deserted the whole principle of fairness, the whole principle of universality to the people of this country.

The federal Minister of Health has told us that what is happening is contrary to law. We saw what happened—

**Ms Christel Haeck (St Catharines-Brock):** She has?

**Hon Mrs Grier:** That's interesting.

**Mr Callahan:** The Minister of Health seems to question that. Perhaps she hasn't decided—

**Ms Haeck:** It hasn't been said.

**Mr Callahan:** I tell the Minister of Health she hasn't decided what penalty she's going to impose on Ontario for doing what we are doing, but in fact if one looks back on the experience we went through with extra billing in this province, where if the entire Legislature—and I believe it was unanimous—had not voted to ban extra billing, we were going to be denied something like \$50 million in transfer payments from the federal government because we were in fact contravening the Canada Health Act.

If in fact the Minister of Health federally does decide that the penalty will be the withholding of whatever funds there are that had been withheld from these people, then all of the arguments that the Minister of Health made today about saving money and all the rest of it on the backs of seniors will reverberate right back in her face, with all due respect.

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** Why has the federal Minister of Health not done that?

**Mr Callahan:** The House leader says that the federal minister hasn't done that yet. However, you people probably figure that it won't happen until after the next election, so it doesn't matter; it won't be your responsibility.

Let's get back on line. We're not just talking about seniors, we are talking about any citizen of the province of Ontario, be they young or old, who might take a trip for a hockey team over to Buffalo, a baseball team or whatever. If for some reason they were not knowledgeable about the fact that they had to take out private insurance, or they thought, "For one day, what could happen to us?" and they wound up in a hospital where they had to stay for an extended period of time, the results could be horrendous.

I think quite frankly that is not what the Canada Health Act was intended for. It was not what Tommy Douglas—

again, as I say, he must be frowning terribly on this party which has suddenly taken on the degree of saying, "Well, Tommy, you had a nice plan but we don't subscribe to it," the same way as they have done to Mel Swart in saying: "Mel, you are a man of principle, and we have abandoned all our principles. We really don't care about what you say, Mel Swart, because you're out of the Legislature. We're in power and we no longer have the requirement to live up to your standards."

I heard the member for Durham East who spoke before me. He indicated that we do not do the same thing to people coming to this country. Well, we do.

**Mr Mills:** I never said that.

**Mr Callahan:** It's my understanding that's what he said. He said that we don't charge people who come here who do not have OHIP coverage the same amount as they do in the United States. I suggest to him, and I'm sure the minister will be aware of this, I had a case of a young couple—

**Mr Mills:** On a point of order, Mr Speaker: I would just like it on the record that I never mentioned about Americans coming here. I never mentioned it.

**Mr Callahan:** If I misinterpreted what he said—in any event, I can tell you about a case that I took to the Minister of Health about a grandmother who came here from I think it was Poland. She bought \$25,000 worth of insurance coverage. She had an unexpected stroke and the bill from the Toronto Hospital is now somewhere in the neighbourhood of about \$110,000. They are prepared to sue this young couple whom she was coming to see and are not prepared to forgive that. It's sort of a quid pro quo. Here's a person, a senior, who took the steps to get coverage and wound up having an illness that cost her more than the \$25,000. I suggest there is a parallel situation—

**Ms Haeck:** Why should we pay for that?

**Mr Callahan:** The member for St Catharines-Brock says, "Why should we pay for them?" That's the same argument that could be made if a senior, a Canadian citizen, an Ontarian who has paid his dues, finds himself in the United States for a protracted period of time in a medical facility, and perhaps for one reason or another has even taken out medical coverage. Let's say they've taken out the medical coverage and they find themselves with a bill that is just beyond their means.

I can remember an anecdotal story about someone I knew fairly well. They took ill in Florida, and in order to get the person's body out of the hospital, you had to have a credit card or no way. You stay there.

Now, \$400 is a pittance in terms of the cost of American health care. That \$400 is not really a great amount; it's a drop in the bucket. I can see the reasons the minister tries to put forward in that the money we can save is going to help us in terms of enhancing or perhaps protecting our own health care system in this province, but at the same time there was at least an admitted amount of \$20 million in fraud. Some of the figures that were being bandied around, and we have asked for proof that they're not correct, were \$690 million per year in fraud.

A new health card is supposed to be produced. I've not seen it yet. I don't think anybody has. I can tell you, and members of the public accounts committee who are present in the House will confirm it—Mr O'Connor will—that when the Deputy Minister of Health of the day, Mr Decter, came before the public accounts committee, I said to him, "Mr Decter, if I apply for a health card, can you show me the application form?" So Mr Decter pulled it out and there were eight different ways that you could record yourself. For instance, I could be recorded as R.V. Callahan, R. Callahan, Bob Callahan, Vincent Callahan, Leo Callahan—those are my middle names, by the way—and I could get eight health cards. In fact, there was a procedure in place whereby fraud could be committed with impunity. It meant that eight health cards could be received by an individual.

1700

To the credit of the deputy minister, after making that comment in public accounts, the next day he came back and he said: "You're right. We have changed the application form and you now can only apply in the name of the document that you produce to demonstrate who you are."

There are savings. There are also savings through public accounts. When I chaired it, we took a trip to some of the alcohol and drug treatment centres in the United States. This is kind of funny because when we travelled there, the purpose of the committee was not to give them more business; the purpose of the committee was to determine how they do what they do and bring it back here to Ontario so that we don't have to send these people across the border to receive this treatment.

The reason I remember it was that we visited Parkside Hospital in Chicago and the name of the guy who was in charge of it was Tom Collins. It would be difficult to forget Tom Collins's name considering the fact that we were going there to look at an alcohol and drug treatment centre. After we got back here we prepared a very detailed report for the minister and for the government and we've yet to have a response to it or any action on it. In any event, this fellow called me up in my office and he said, "Mr Callahan, you saw our facility." I said, "Yes," and he said, "This is Tom Collins." That's how I identified who he was, as I've told you. He said, "You're going to be sending us more patients?" I said: "No, no, you've got it all wrong. The purpose of this investigation was to try to repatriate some of the services that we are now sending people out of this province to receive."

There, for the minister, is an opportunity to save millions and millions of dollars, to save inconvenience for parents whose children have to go abroad or to the United States. Instead, no movement has been made on that at all. I don't see any more alcohol and drug treatment centres in this province. There are still people being sent out of this province for a whole host of disorders, and instead of dealing with that, whom do we attack first? We attack the people who are most vulnerable, the senior citizens.

I guess the government figures, "Well, we probably don't have the seniors on line and most of them are rich." For some reason this government seems to think that elderly people are rich. I think if a good study was done



or Statistics Canada was checked, you would find that there are a large number of seniors who are just on the subsistence level. They may not go to Florida, they may not go to Cancun or whatever, as the more wealthy seniors such as the member for Durham East—who has a place in Florida and travels to Florida—does, but they may go to Buffalo, or they may go to visit Aunt Lucy in Rochester. God forbid that they suffer an emergency situation where they are required to be captive of an American hospital that charges extraordinary fees. I suggest to you that the Minister of Health and the former Minister of Health—well, perhaps not the former one, because she didn't suggest this. But to the Minister of Health herself, I say, shame.

Why pick on the seniors of this province? They have proven their worthiness of this province; they have contributed to this province; they have in fact created in a large degree the wealth of this province; they have created the good society we have in this province. What do we do for them on a Canada Day? We gave them a Canada Day gift on July 1, 1994. We said to them, "If you get sick in the United States or if you get sick on your trip to meet Aunt Lucy in Rochester and you wind up in hospital, we're only going to pay \$100 for your in-hospital treatment." I think that's shocking and I just find that they were the most vulnerable people they could have touched.

We look at other areas of concern—even if they take out health insurance. Let's say the contract is such that for some reason—seniors are getting on and perhaps they forget that the 183rd day has come by and they get into the 184th day and they become ill and they've planned, just as the couple from Poland did; they took steps to ensure that they were covered and they find themselves without coverage completely. That is unacceptable, it's insensitive and it demonstrates how this government, instead of using the other measures that are available to them, repatriating those people who are required to use services outside of this province—instead of using that imagination and that industry, they take the shortest and quickest route—and an illegal route, I suggest to you, and it will prove to be illegal. But they don't care because come June or July when the writ is issued for an election, it won't be their responsibility to look after that illegality; it will be the responsibility of the next government. So who cares?

That to me strikes an amazing situation, because we all know that despite the MRIs that the Health minister said have been increased in terms of buying capital equipment, there have not really been that many dramatic increases in terms of the service that's offered to the people of this province.

I've urged the Minister of Health on numerous occasions in this House to provide coverage for young people with mental health problems through psychologists. They provide it through psychiatrists. With all due respect to psychiatrists, you have the one who goes through psychoanalysis, you have the other one who uses different types of drugs to try to cure the problem the person has, and yet psychologists, in the main, I think, if you talk to people who are in the know, will say they're the best

people to deal particularly with kids with learning disabilities. I've never gotten a response from that.

I urged the minister one night to introduce into the formulary the most recent drug for the treatment of schizophrenics. In fact, the minister and I one night got in a shouting match over it. She didn't know what the drug was and she asked me to find out what the drug was. I said: "Minister, you're the Minister of Health. If you don't know what the drug is, we're in real trouble."

Obviously, either that match that night or something—I think it was probably a doctor who came before our public accounts committee. I can't remember his name now—Humphries, I think—who urged the ministry to put that on the formulary, because this drug has the least side-effects for schizophrenics. These schizophrenics, many of them, are street people and they don't have the funds to get the drug. So if you can't get the drug for them, they will act out and wind up back going through that recycling bin called the mental health centres. Under the Mental Health Act, as amended, these people are just recycled back and forth, right through it. You know the story of the schizophrenics, how they're picked up on the street when they're a danger to themselves or to the public, taken into the mental health facility, given a drug, and then suddenly there is this committee you go before and the committee decides that they're no longer in need of help, so they usher them right back out the door. It's just a vicious cycle.

You've got parents, and I've seen these parents and talked to them, and many of the people in the Legislature should talk to them, who go to bed at night wondering where their loved one is. What is he or she doing on the street? What are they up to? What kind of danger are they in?

Why doesn't the Minister of Health, instead of reducing the out-of-province payments to seniors, deal with the question of the Mental Health Act amendments? Why doesn't she look at that? Why doesn't she try to deal with this issue? It's a crying issue. Most of the people we see on the streets of Toronto are people who are suffering probably from schizophrenia, and there is no effort made to try to deal with that.

I'll tell you something. The NDP party really has disappointed me because over the years as I—

*Interjection.*

**Mr Callahan:** Well, the former Minister of Labour laughs about it. I guess you can laugh now; you're out of the cabinet and you've got an easier life.

But it bothers me, because as I was growing up, as a young person, I kind of looked at the New Democratic Party as being a party of caring about people. That's in fact what they ran on during the last election: the Agenda for People, all the good things they were going to do for people.

Quite frankly, I think it would be agreed among most of us in this House, perhaps even members on the government side—certainly their supporters—that the Agenda for People became a document about as useless as some of the royal commissions in this province that have gone up on the dusty shelf, never to be seen again. Some of

the things they have accomplished in that Agenda for People—they're probably at page 1 if they're lucky.

What will happen is—and this is all being engineered. I said this the other day when they gave this small bit of advice and help to business. This is sort of a pre-election goody. I'm surprised they haven't just capitulated on the out-of-province money, but I guess they figure the rich seniors will never support the NDP. Those are the people they are punishing with this thing and they feel that they can hit on them and it won't affect them from an electoral standpoint.

But you can be sure that when the throne speech comes down in March or whenever and we go back for about two weeks in this House, they're going to promise everything from soup to nuts and then they're going to go out to the electorate and say: "Elect us. Trust us. Agenda for People II will now be implemented in our next mandate if you give it to us."

1710

I don't think the people will be fooled by that. I think quite obviously they're going to understand that this is not an appropriate task and that they should perhaps try and get some sanity back into this place. We've had four and a half years of insanity. We've had four and a half years of a government that has, granted during a recession or a depression—

**Mr Mills:** Why did you call the election?

**Mr Callahan:** I'd love to. You're closer to Mr Rae than I am. Why don't you tell him to drop the writ?

**Mr Mills:** No, tell me why you called the election after three years.

**The Acting Speaker (Mr Noble Villeneuve):** Order.

**Mr Callahan:** I didn't call the election there either.

**Mr Mills:** Get your facts straight.

**The Acting Speaker:** Order, please. The honourable member had his opportunity. The member for Brampton South now has the floor.

**Mr Mills:** They called the election because they knew what was going to happen.

**The Acting Speaker:** Please, interjections are out of order. The member for Brampton South, please overlook the interjections.

**Mr Callahan:** Thank you, Mr Speaker. I'm trying to overlook them, but my good friend Gordie Mills from Durham East attempts to try and stir my ire. He can't do it.

All right, I will end by saying that you have to understand, as I said before, that seniors are not all like the Minister of Municipal Affairs, who is probably a senior now, and certainly the member for Durham East, who have the wherewithal that if they were to be brought into a medical facility in the United States, they could probably buy the place. I think they have to understand that and they have to understand that these are the people who are the most fragile. Don't try to reduce your deficit on the backs of people who can't fight back. If you want to do it, fight with the people who can fight back.

I suggest to you that what you're in fact doing is simply creating a precedent that will prove to be illegal

and the next government will have to deal with that issue. Let's face it: I hope we're all here for the good of all the citizens of Ontario and not just simply to put forward our own ideology and impose that on society, impose it on people and so on.

I have to say finally, this morning during private members' hour I spoke on an issue of a bill that was presented by Mr Rizzo, and for some reason I was misunderstood because some of the seniors went away thinking I was against that. I wasn't.

What I was trying to say was that the bill we bring in to deal with the question of the children of our province, who are our greatest treasure, should be a bill that's fashioned in such a way that it in fact avoids the acrimony and the problems that we will create for children of separated or divorced parents. That's what I was saying to the grandparents.

I'm not saying that grandparents should not be involved, I think they should be. I'm a firm believer in family. I believe that family has a real meaning to it and we're losing it, and I think we're losing it in a sense in the Legislature by not treating the seniors of this province as family, by crucifying them, by denying them an opportunity to receive what the Canada Health Act guarantees.

**Mrs Marland:** I am happy to rise today and speak in support of this motion. I think it's regrettable that there is a necessity for this motion in the first place. It's very obvious that things in this province have gone very wrong when we are now in a situation where many, many people are in difficulty because they are not able to choose what they can do in order to preserve their health.

Those people who choose to go to a warmer climate in the winter—most of them are seniors; not all of them, but most of them are—are an advantage to our health care system in Ontario. They actually save us money by going out of the country for the cold, harsh, winter weather period. If those people stay here, many of them, under doctors' orders, find that they have to be hospitalized because they simply cannot tolerate our harsh weather. There are many hundreds and hundreds of broken hips from elderly people falling on ice. You just have to check the emergency rooms to see what happens in severe winter weather to older people.

Where does this government get off saying they will not meet the obligation they have to every citizen of this province, regardless of age? I really find it appalling that now our senior citizens are having to spend the money it's going to cost them to pursue their legal challenge through the courts.

The thing about the decision of this government is that it doesn't only affect seniors; it affects anyone who is travelling. How is it that a family that happens to be in a major car accident on I-75 or I-95 or any of the major highways in the United States, and that family requires hospitalization and medical treatment, because they are there, cannot have the same costs paid for them as they would if they were in an accident on the 401 or the Queen Elizabeth Way or any of our Ontario highways? How unjust can that be? They happen to be in another location, outside of the borders of this province, and



because of that they are not treated equally. If they were in Ontario, they would have their full medical expenses paid.

Obviously, when the government argues this issue, it does not realize how hurtful it is. I would suggest to this Minister of Health that when she stands in this House and indicates through her debate that we're talking about wealthy seniors, I would ask her to do a little homework. To suggest that only the rich go south, and if they can afford to go south they can afford to pay for their health insurance coverage, I think is a brutal statement on the part of this Minister of Health. I would ask her to table in this House her study, her information on which she bases that kind of deplorable statement that actually hardly bears a response. In my opinion, for anyone in this House to make that kind of a statement indicates pure ignorance of the facts.

This business of throwing out the fact that our party, our Mike Harris PC Party of Ontario, would do the same thing with health care when we become the government, and worse, because we would make the same kinds of cuts as Ralph Klein—I would suggest that if anyone on the government benches can read, perhaps they would like to read the Common Sense Revolution. For the benefit of those who either can't read or do not choose to read, I would like to put on the record what it is exactly that we say about health care.

It is one of four envelopes of spending that we are not going to cut. We are going to make major cuts in government expenditures. We are in fact going to cut 20% of government spending, but we are not cutting health care. In fact, on page 7 of this book, *The Common Sense Revolution*, which anyone can have a copy of—it's in black and white what we will do when we're the government, not like any other party currently in this House—it says:

"We will not cut health care spending. It's far too important. And frankly, as we all get older, we are going to need it more and more.

"Under this plan," the *Common Sense Revolution*, "health care spending will be guaranteed. As government, we will be aggressive about rooting out waste, abuse, health card fraud, mismanagement and duplication."

It's in black and white what we're saying. So when the New Democratic socialist government stands up in this House and maligns what kind of a government we would be and what our policies on health care would be, I simply say to them, read the print. It is here. At least we're willing to make a commitment in writing to the people of this province about what our health care protection would be.

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We won't be in a situation where I will be receiving letters—and I haven't asked this senior if I can read his name into the record, so I won't read his name, but this letter says, "I am writing for the first time in my life to a politician." The first time he's ever felt compelled to write to a politician.

He says, "I would agree that our main priority should be to reduce the Ontario debt and any reduction in the

annual deficit," but he goes on to say, "But the recent reduction of hospital payments to \$100 per day is a different concept that hits both rich and poor." He says, "It would be reasonable for OHIP to pay the same amount per day for a stay in a USA hospital as if he or she were in a Canadian hospital." There are two pages of concerns on the part of this individual.

I simply say to this government that if you cannot see what is fair and equitable in the provision of health care and, I may add, about what's left of the health care system that we have in this province, then you don't even consider what the facts are. You don't even consider that our population is aging, and it's imperative, because of their increasing numbers, that we preserve their health. If by going out of this province in the winter they can remain healthy rather than staying at home and being a financial burden to our health care system, how much more common sense an argument can we make?

I do have a letter here from someone I know will not mind me reading his name into the record, because it's Dr John Tyson. Dr Tyson is a very knowledgeable person not only in the field of medicine but in understanding what the management of the health care system in this province is about. He says:

"In a survey of 15 former blue-collar snowbirds, all had temporary winter residences in the southern US. All were in trailer parks. Each had a gross US value of \$15,000. Annual taxes ranged from \$253 to \$964 per year.

"These Ontarians are not rich nor are they privileged. They built the current health care system we have enjoyed. The recent actions by the Ontario government to reduce scheduled benefit payments to C\$100 per day is crushing the retirement and security of thousands of ordinary people, notwithstanding the economics of a potential forced sale of a US asset that will be taxed at full rates."

We are not talking about the rich and the wealthy; we're talking about the people who built this province with their blood, sweat and tears. Those people are entitled to the same protection under a health care system regardless of where they happen to be. But to listen to this government you would think that the "snowbirds"—probably an unfortunate title that they have been given, but everybody understands what is meant by that—choose to go away to have their heart attacks or they choose to go away and have some medical complication. How insulting. I think it's on that word that I will close my comments.

I simply cannot understand how this government can do something which it knows is illegal. I also cannot understand why the glorious Jean Chrétien federal Liberal Party which is in government now cannot enforce the Canada Health Act and ensure that the people of this province have the entitlement to the protection under the health care system wherever they travel.

If this government is looking for money, it should start where we have been asking it to look for two years, since the Provincial Auditor identified \$700 million in health care card fraud. The money is there, but to take it off the backs of the people who need to be out of this province,

particularly with the winter climate, or anyone else who chooses to go on a vacation outside of this province on a short term, is grossly unfair and we will not accept that position by this government.

We will continue to fight for these people and we will look forward to implementing the Common Sense Revolution where we guarantee in writing that the health care system will be preserved and enhanced back to where it was when we were in office.

**Mr Larry O'Connor (Durham-York):** I guess this is an interesting debate to be part of because, for the viewers, this is an opposition day, and I want to make that clear, which is really what we're hearing a lot of from the opposition. They're in opposition to real leadership that has been taking place by the province of Ontario and the NDP government.

The fact of the matter is, right in the bottom of the resolution they say there's an absence of leadership from the federal government. I'm going to have to admit that there is an absence of leadership by both the Liberals in Ottawa and, before them, the Conservatives in Ottawa, because their view of the Canada assistance program that funds our medicare was that they were going to put a cap on it. The Tories put that in place and I wish that the Liberals would remove that, but I don't see any movement in there at all, none at all.

Let's paint the picture as it really is. My colleague across the floor just talked about \$700 million worth of potential fraud through a health card system. In fact, when they were in power there were 25 billable OHIP numbers out there circulating around the province. I think that potential for fraud was certainly there when the Tories were in government.

Then my colleague from Brampton over there talked about the new card and the problems with it. Well, the fact is, yes, as they designed the program there were multiple ways of applying for that card and the opportunity for fraud was there. We've cleaned that up.

But let's be realistic. We saw health care grow right through the 1970s and 1980s to when we formed the government at 10% to 12% every year, per annum. It grew from 25% of the budget to a third of the budget. If we're going to try to control that, then there have to be some tough choices made, and we made them. Oh, boy, we made some pretty tough choices. Anyone working in the hospital sector would be in a state of shock to deny that there was ever a tough choice made in a hospital. There were a lot of tough choices.

The hospital boards really did have to work hard, and I congratulate them for being partners in saving the health care system, not with the rhetoric that we hear opposite, but they were a partner working with this government to save the medicare system. They want to ignore that.

Let's be realistic. When we came into government, we saw the out-of-country expenses very high and we brought them down. This year I think we're going to see the number is around \$53 million being spent out of province, so there is a lot of money still going out of province. But let's talk about what we do have here.

Let's talk about the management that we've done

which gave us the money to invest in health care in the province of Ontario. The integrated homemaker program: 5,000 new people in there working in home care in the province of Ontario. Health care in the community through long-term care: We're going to spend \$850 million this fiscal year, \$350 million more than when we formed the government, and that's recognizing that we have to make some tough choices as we go along to providing health care services to those seniors.

1730

We've seen groups and agencies come together to formulate programs for palliative care, hospices—it's incredible the work that's being done. My colleague here and all the members from Durham—the fighting that went on to try to make sure that we could get a cancer centre outside of the city of Toronto because it isn't easy for the people from the rural parts out in southeastern Ontario to get into downtown Toronto. A good decision was made, but a decision made because of planning, a decision because there was a lot of work gone into protecting those services.

It's easy to just sometimes stand back and criticize but we do have to be realistic about this. Let's use our Ontario drug benefit plan as an example. The costs have been growing over 16% and there have to be some tough decisions made in trying to maintain a health care system that is going to be important to provide the care. We were able to maintain some of those costs by putting a network that is going to hopefully reduce the number of people that are admitted into hospitals. More than 17,000 people are admitted to hospitals each year due to medication problems. Twenty per cent of seniors require hospital stays which are attributed to prescription use to our Ontario drug benefit plan—not necessarily wise use; it's poor use. And through our network we're going to save not only \$30 million annually but we're going to save an awful lot of needless grief for family members taking their family member to the hospital that doesn't need to take place.

Sometimes we forget because as a member in a rural riding just northeast of Toronto we forget about the north. Well, let's not forget about the north because there's \$880 million that was put into small communities and first nations to upgrade and expand the medical and dental clinic services in these communities; a comprehensive health unit for example, in the Fort Frances area and Wawa. These types of service are innovative, one-stop shopping for all the people in the community. We sometimes seem to want to forget about that. We've established a midwifery program. In northern Ontario up at Laurentian University is where people are going to go to study this new way of delivering health care to young mothers and families in the province of Ontario.

It's because we were able to take a look at the needs in a community and yes, make tough decisions. Now, tough decisions—you say that's what the government in Ottawa did when they put the cap on the Canada assistance program, but the meat and potatoes of the Canada assistance program meant that medicare was funded at 50-cent dollars—50 cents from the federal government, 50 cents from the province. Where are we today? Well,



we're well below 30 cents. And are we going to see any change from the Liberals? I don't think so.

So we have to deal with the realities that the Liberals in Ottawa are ignoring Ontario, ignoring the health care needs of Ontario and we're going to deal with that. We have to deal with that. The only way we deal with that is by making some tough decisions and yes, we have made some tough decisions and if my opposition colleagues want to say, "Well, let's kill all the money that was put into radiation therapy so we can send it on to the seniors, or let's scrap the Ontario drug benefit plan so that we can give more money to seniors; let's scrap the midwifery program so that we can give more"—being in government is about making decisions. Some of them aren't easy decisions to be made, and if my colleagues opposite want to be part of a system that ignores the realities of what has happened and the improvements in our communities, the improvements in health care in the province of Ontario, then they've got blinders on if they're going to stand back there and spew off their opposition rhetoric and deny the fact that, "Yes, we have been able to control the cost of the Ontario health care system," and at the same time the \$17 billion that is in the Ontario health care system—\$17 billion—that's enough money.

There is certainly enough money in the health care system and if we go back to what it was a decade ago and see the vast change in our health care system up to today, we should be living a far better life. The fact of the matter is we have to maintain what we have here and there is certainly enough money in the system now. I'd like to see some constructive opposition, instead of all this nay-saying and rhetoric that we hear.

**Mr Ted Arnott (Wellington):** I am pleased to rise in response to this motion by my party leader, Mr Harris, calling upon the government, because of the fact that they've unilaterally announced that OHIP would reduce out-of-country health coverage for all Ontarians; and

"Whereas this...change means higher health care costs for every Ontarian, including people travelling for business, families on vacation and seniors; and

"Whereas the Canada Health Act guarantees 'portability' and states that provincial health plans must pay for out-of-Canada hospitalization at the same rate they would pay for such care at home; and

"Whereas the federal Liberal Health minister refuses to enforce the Canada Health Act and has demonstrated no leadership on this issue; and

"Whereas the principles of fairness and accountability to those who fund the health care system through their tax dollars have also been clearly violated; and

"Whereas the NDP has failed to consult with the people affected, failed to determine if this policy is legal and failed to calculate if savings would truly be made;

"Therefore, in the absence of leadership from the federal government, this House calls on the Minister of Health to support the belief of the people of Ontario in the principle of portability—as enshrined in the Canada Health Act—and immediately restore out-of-country health coverage to Ontario rates."

On behalf of the seniors of Wellington and the people

of Wellington, I want to indicate I strongly support this resolution. It is unacceptable to us what the government has done with respect to this issue. To deny appropriate health care coverage to travellers, seniors who are outside of the country, to me is unacceptable.

There are several big issues, I think, that this resolution addresses in response to the government's policy. One is a practical problem. If the government doesn't redress the problems that they've created with respect to this issue, it will make it very, very difficult for many, many seniors to travel abroad for the winter and, as we've heard in the debate, many seniors need to travel south because their health situation is such that they can't spend the winter in this province because of the weather. The legality is a major issue. This appears to be contrary to the principles of the Canada Health Act and I think we've got to speak against it in respect to that issue.

Also, the NDP has failed to demonstrate the cost savings that they claim would be created if they continued with this policy. We want to see that evidence before we can in any way give support to this bill. We also have to challenge the federal Liberal government on this issue because we feel that they are remiss in not taking action to enforce the principles of the Canada Health Act which, of course, is federal legislation.

For those reasons, I indicate to you that I will strongly support this resolution this afternoon and would encourage all members of the Legislature to support this resolution.

**Mr David Johnson (Don Mills):** I'd like to quote from the Canada Health Act. The Canada Health Act says: "Where the insured health services are provided out of Canada, payment is made on the basis of the amount that would have been paid by the province for similar services rendered in the province."

It's clear that the government has violated the Canada Health Act. Ontario residents, people of all ages, young and old, when they travel outside of Canada do not expect special treatment. They only expect equal and fair medical coverage, but they are clearly not getting it from this government.

I have consulted with my constituents in Don Mills in a questionnaire. Of 830 people who responded to the questionnaire, by a margin of over two to one, they do not support the government in reducing out-of-country health care services.

This is an issue for people of all ages and it's an issue of fairness and equality. That's simply what people are asking for. They're asking that the Canada Health Act be enforced. It's clearly not being done. That's the sole issue that's before us here today.

My constituents, and I believe the people of the province of Ontario, are telling this government they do not require anything special. They do not consider that when the Minister of Health stands up and says, "We can't afford those kind of services," they do not understand that. They look at the fraud that's taking place in the health care system; the fraud that's taking place in the welfare system, and they say: "We have the resources in the province of Ontario to be equal and fair to our seniors

who travel, to people of all ages who travel, and we should be applying that fairness." We are not doing this through this particular action in the health care system.

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**Mr Jim Wilson:** No one has fought more loudly or more often for the right of seniors and other Ontarians to out-of-country health coverage at Ontario rates than the Mike Harris team at Queen's Park. We believe in fairness and that Ontarians have the inalienable right to health care, be they at home, in another province or in another country. We have backed our beliefs with a two-front assault on both the NDP and Liberal governments. Unfortunately, both the Liberals and the NDP refuse to listen.

I want to share with members of this House and the public some of the actions that my caucus colleagues and I have taken in our effort to fight for fairness in health care. In May, I wrote to Premier Bob Rae asking him to restore out-of-country coverage. He said, and I quote: "The changes are part of our efforts to better manage health care spending and improve services in Ontario." In other words, the Premier's definition of better management and improving services in Ontario is to simply deny services.

On May 17, 1994, Tory MPP Bob Runciman asked the NDP government to delay implementation of out-of-country changes until the deputy minister's working group released its findings. On June 14, 1994, PC seniors' advocate Cam Jackson told a seniors' rally at Queen's Park that a Mike Harris government would restore out-of-country hospital coverage to Ontario rates. On June 15, 1994, Mike Harris appealed to the federal health minister to intervene to spare seniors from having to use their own resources to launch a lawsuit against the provincial government. The Liberal minister said no.

On August 16, 1994, I demanded that Ottawa and Queen's Park reimburse seniors for hospitalization costs incurred outside of Ontario while the snowbirds' legal challenge was heard. All I got back was silence from both governments.

In October of 1994, I on behalf of the Ontario PC caucus and in my position as health critic requested a meeting with the federal Liberal health minister to discuss the out-of-country health coverage issue. The minister's response was, and I quote: "Although I appreciate being offered the opportunity to discuss this matter with you, unfortunately my schedule does not permit the acceptance of your invitation." She continued: "Ministers agreed to have their officials continue to examine this matter and officials of my department will continue to monitor the situation."

Monitoring the situation after months of delay and on an issue that is such a blatant and clear violation of the Canada Health Act is a shameful response to the seniors and the many Ontarians who elected a Liberal government to uphold the Canada Health Act.

I also find it interesting that the federal Minister of Health has chosen to selectively enforce the Canada Health Act. She is rattling the sabre of the act and when it comes to the health policies of the province of Alberta, the minister continues to rail against the facility fees

being charged at the Gimbel Eye Clinic in Alberta. She eloquently states that, "Facility fees over and above the fees provided by public health insurance are denying access"—access of course being one of the fundamental principles underlying the Canada Health Act.

However, the federal Liberal minister, and there are no Liberals currently in this House right now to listen to our concerns and those of seniors, the federal Liberal minister seems to have a selective interpretation of Canada's national health legislation. While she is prepared to wrestle with Alberta over the principle of access, she is content to simply monitor the NDP government's white-washing of portability of health care benefits for the citizens of Ontario.

The federal Minister of Health has the power to punish provinces by withholding funds if they violate the Canada Health Act. In her letter to me last month, the federal Liberal minister professes her commitment to the Canada Health Act by saying: "I would like to assure you that"—

**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker: I thought it was the rules of the House that one doesn't make reference to attendance, but there are two Conservatives in the House.

**The Acting Speaker:** It's not a point of order. The member for Simcoe West.

**Mr Jim Wilson:** To quote from the minister's letter, she wrote: "I would like to assure you that, as Minister of Health, I remain firmly committed to the principles of the Canada Health Act."

The government violated the portability clauses of the Canada Health Act last April. Seven months later, the so-called defender of the Canada Health Act, the federal Minister of Health, has done nothing more than to monitor what is a clear breach of the act and a clear breach of the law in this country. As a result, it has been left to seniors to take the provincial government to court in order to uphold the provisions of the Canada Health Act. While they've been doing this, Diane Marleau, the federal minister, has been telling everyone who'll listen how much she cares.

In slashing out-of-country hospital coverage, the NDP government was doing three things: cutting without thinking, as it has done with most health care decisions, bashing seniors and driving a wedge between one of the most important unifiers of our nation, the Canada Health Act. At no point has the NDP government been able to identify how it intends to save the \$20 million it claims by slashing the rate of OHIP reimbursement for out-of-country hospital costs to \$100 per day.

Seniors' groups like the Canadian Snowbird Association say the action taken by this government will end up costing the government when seniors, because they are forced to stay in Ontario, become hospitalized more. The following is a quote from Don Slinger, first vice-president of the Canadian Snowbird Association:

"Aside from her actions being clearly illegal, Mrs Grier and the Rae government are lying to themselves and the people of Ontario by saying they will save taxpayers \$20 million.

"We say this illegal action will cost Ontario \$20



million, not save it. And we proved it. When we asked her"—referring to Mrs Grier—"in person, in this very building, to compare her figures to ours, she wouldn't. You know why? Because she couldn't. Her own ministry's figures put the lie to her \$20-million savings. She wouldn't do it because she can't do it."

The reduction of out-of-country hospital coverage means that only rich seniors will be able to travel. As a result, many seniors who travel south right now for health reasons to escape our harsh winter climates are trapped at home and are likely at some point to be hospitalized here at home. I want to read from a letter I received from my constituent John Keogh of Wasaga Beach last month:

"Because of my wife's severe asthma condition, for the past eight years we have gone to Arizona where my wife can breathe easier.

"Prior to us going to Arizona during the coldest winter months my wife would end up being hospitalized once or twice during the winter. Because of the NDP government's policy on health care we feel that it might not be possible for us to go to Arizona this winter.

"Ourselves, as well as thousands of senior citizens, feel it is not fair that the government will not pay the same amount per day for out-of-country hospital care as it does here in Ontario. Last year we paid \$1,600 for five months' insurance coverage. This year that same coverage has gone up to \$2,900."

I also want to read from a letter that was sent last May to Mrs Grier by a constituent of mine, Mr Lloyd Bellamy. He writes:

"Your proposal to reduce out-of-Canada hospital reimbursements from \$400 per day to \$100 per day is for the birds, but not fair for 'snowbirds.' You have said that this is because of the high rates of hospital charges in the US, causing a severe drain on OHIP. Who do you suppose is bearing these high hospital charges except the individual?"

Alvin Murphy of Alliston has correctly seen this legislation for what it is, an attack on seniors. He makes his argument very succinctly in a letter to me last May:

"(1) The reduction to \$100 a day is illegal.

"(2) This action discriminates against seniors.

"(3) Snowbirds pay all the same taxes as other Canadians. They have paid their freight throughout their lives.

"(4) Seniors in the warmer climate are healthier than when in an extreme, colder climate.

"(5) Seniors do not abuse the health care system as seniors spend more time and effort and money on preventive health care and practices than any other" group in our society.

1750

The actions of this government and the neglect of the federal Liberal government may serve to tear apart the fragile fabric of Canada. The Canada Health Act is one of the unique threads that binds our nation together. The failure of the federal Liberal government to uphold the act will jeopardize our nationhood and make the federal government even more of a bit player in the health care of this country.

The slashing of out-of-country fees is just one more shot at seniors by a provincial government that has no respect for the elderly in this province. We've seen it in long-term care, where unionization of the workforce took priority over the needs of seniors. We've seen it in the continual delistings and the failure to list essential prescription drugs on the Ontario Drug Benefit Formulary. We've seen it in the cutting of the property tax grant and in the lack of emphasis placed upon seniors' housing. The NDP government does not appreciate seniors and the federal Liberal government does not have the courage to come to the defence of seniors and families in this province.

Members should be aware that only about a quarter of the out-of-country payments are made for seniors by this government. Although the issue is being carried by the snowbirds' association, this policy affects every family that ventures outside of Canada for a vacation. The vast majority of our payments are going to families who get into car accidents or kids who break their legs on the ski slopes in Colorado, and this government says it doesn't care. It also fails absolutely across the board to substantiate what it claims will be \$20 million in saving.

The Canadian Snowbird Association has brought forward its own study which clearly shows that this policy will cost this government money. If you think of it very simply, Ontario rates paid in the US save Ontario taxpayers money. We pay \$400 a day if someone has a heart attack in Arizona, regardless of what the cost may be in that hospital in Arizona, by example, and their private insurance picks up the rest. That same person who has his heart attack in Toronto may cost Ontario \$1,200 a day at Toronto Hospital, and no private insurer picks up anything. It is by right 100% covered under medicare.

So the government's own logic cannot be backed up either by study or any reasonable thinking process. The snowbirds are right on this issue, families are right on this issue, and Mike Harris, in putting forward this resolution today on behalf of the Ontario PC caucus, is right on this issue. He's absolutely right to go to bat for the seniors of this province, and in spite of all the rhetoric in this House, I'd ask members to read the Common Sense Revolution, where we very clearly set out our plans to save medicare because this government, the Liberals before them and the Liberals in Ottawa are destroying medicare by not supporting the principles of the Canada Health Act.

I say shame. Shame on these people who in the past claimed to have a corner on compassion. Well, I'll tell you, Mr Speaker, they no longer have a corner on compassion. They have done everything they can to make seniors feel bad for being citizens of this country, to feel bad for being residents of Ontario, and now they've got all the seniors of this province under house arrest against their will. That is wrong.

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** On a point of order, Mr Speaker: I think it only fair that Ralph Klein be given equal time.

**The Acting Speaker:** That's not a point of order.

**Mr Chris Stockwell (Etobicoke West):** On a point of

order, Mr Speaker: Audrey McLaughlin on the Candu reactor should be given just as much time.

**The Acting Speaker:** That's not a point of order. The member for St Catharines.

**Mr Bradley:** In the last two minutes that I have to address the House on this issue, I simply want to say, first of all, that I will be voting in favour of the resolution. I understand the difficulty the government has in meeting its many costs that build up in the field of health care. I believe a number of people were supportive of the government move which said that we will no longer pay the American rate. I think where the opposition began to really grow was when the government said, "We won't even pay the Ontario rate when a person is ill," whether ill here or ill somewhere else. I think that's where the problem arose.

I find it ironic really—I was hoping this wouldn't be as partisan a debate, but we're near an election so it's going to be—that the Conservative Party, of all parties, would be championing this cause. To their credit, they are a party which has said they're going to drastically cut government expenditures, and many of their people have defended that very well. Many have spoken with great acclaim about Ralph Klein, the Premier of Alberta, and what is being done in Alberta. Many of the provincial Conservatives think that is the route to go, and indeed Mr Klein can be a popular man from time to time in his own province.

But I think we have to remember that if the Conservative Party is to implement its policies, we won't be looking at something like this, we'll be looking at far greater cuts to the health care system. Once you're finished taking away all the French signs, once you're finished taking away the salaries of the MPPs, once you take away all the waste, you're still getting to health care because that is where the big cost is in government and you can't fool the people out there into something else.

Therefore, I happen to think the government has gone too far in this regard and will support the resolution, but I find it so ironic that, of all parties, the Conservative Party would be the champion of this particular cause.

**The Acting Speaker:** This completes the time allotted for opposition day motion number 2, standing in the name of Mr Harris.

Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members; a five-minute bell.

*The division bells rang from 1757 to 1802.*

**The Acting Speaker:** Mr Harris has moved opposition day number 2. All those in favour of Mr Harris's motion will rise one at a time to be recognized by the Clerk.

**Ayes**

Arnott, Beer, Bradley, Brown, Callahan, Cunningham,

Daigeler, Eddy, Harris, Henderson, Hodgson, Johnson (Don Mills), Kormos, Mammoliti, Marland, Miclash, Murphy, Offer, Poole, Ruprecht, Sterling, Stockwell, Turnbull, Wilson (Simcoe West).

**The Acting Speaker:** All those opposed to Mr Harris's motion will please rise one at a time.

**Nays**

Abel, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooper, Coppen, Duignan, Farnan, Fletcher, Frankford, Gigantes, Grier, Hampton, Hansen, Harrington, Hayes, Hope, Huget, Jamison, Klopp, Lankin, Mackenzie, MacKinnon, Malkowski, Marchese, Martel, Martin, Mathysen, Mills, O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessinger, White, Wildman, Winninger, Wiseman, Wood, Ziemba.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 24, the nays are 53.

**The Acting Speaker:** I declare the motion lost.

BUSINESS OF THE HOUSE

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** Pursuant to standing order 55, I wish to indicate the business of the House for the week of November 28.

On Monday, November 28, we will give third reading to Bill 163, the planning reform bill. Following that, we will begin debate on concurrence in supply for certain ministries.

The business for Tuesday, November 29, will be announced.

On Wednesday, November 30, we will consider a government motion enabling the House to sit evenings for the sessional days in December. Following that, we will continue the concurrence debate.

On the morning of Thursday, December 1, during private members' public business, we will consider ballot item number 73, second reading of Bill 189, standing in the name of Mr Henderson, and ballot item number 74, a resolution standing in the name of Mr White. On Thursday afternoon, we will give third reading to Bill 187, the business regulation reform; third reading to Bill 175, the efficient management omnibus legislation; second reading to Bill 107, the Ryerson university pension plan; second reading to Bill 197, the Assessment Act amendments. Any remaining time will be allotted to the completion of the concurrence debate.

**Ms Dianne Poole (Eglinton):** On a point of order, Mr Speaker: I'm sure all members would wish to join me in wishing a very happy birthday to the member for York-Mackenzie.

**The Acting Speaker (Mr Noble Villeneuve):** Not a point of order, but we all join in.

It now being past 6 of the clock, this House stands adjourned until Monday, November 28, at 1:30 pm.

*The House adjourned at 1807.*



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Assemblée législative  
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Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Monday 28 November 1994

# Journal des débats (Hansard)

Lundi 28 novembre 1994

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers



*50th anniversary*

**1944–1994**

*50<sup>e</sup> anniversaire*



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 28 November 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 28 novembre 1994

*The House met at 1332.*

*Prayers.*

## MEMBERS' STATEMENTS

### RAIL ACCIDENT

**Mrs Joan M. Fawcett (Northumberland):** It was a night of terror, but a night of pride. Many of us are aware of the Via train derailment and fire that started just west of Brighton on Sunday, November 20. This was a most terrifying experience for the 417 people on board the train. The fire started at the front of the train as a three-foot piece of train rail punctured a fuel tank. Many horrified passengers smashed windows and jumped from the inferno to safety as the train came to a halt.

Emergency crews from Brighton, Trenton and Colborne had to go through a swamp and down a mud-covered forest trail before reaching the wreck. Brighton Fire Chief Harry Tackaberry and his crew were the first on the scene, using foam to douse the flames that engulfed the engine and first car.

Sixty people suffered from cuts, broken bones and shock. They were taken to East Northumberland Secondary School, then transported to area hospitals in Trenton, Cobourg, Belleville and Campbellford.

At the scene, the fire was put out in just over an hour. A helicopter from CFB Trenton hovered over the crash site, illuminating it with a spotlight, looking for anyone who may have jumped from the train, and also helped search groups on the ground.

If there can be any good to be recognized from such a disaster, it is the quick and efficient manner in which everyone reacted to this incident. Certainly the Brighton fire department, the Brighton OPP, the area emergency services, the local hospitals, CFB Trenton and the many volunteers are to be commended for their handling of this critical situation.

Many take for granted these vital services provided in rural Ontario. The member for Quinte, Hugh O'Neil, who visited the accident scene and hospital that night, and myself would ask that all members join in recognizing the herculean efforts of this community: a job well done.

### PARENTAL LEAVE

**Mr Jim Wilson (Simcoe West):** On behalf of all working women and families in Ontario, I rise to bring a serious matter to the attention of the Minister of Consumer and Commercial Relations.

My constituent Judith Ann Wilson obtained her real estate licence in October 1992. As a condition of her licensing, she had two years to complete three mandatory courses. During 1993, Judith became pregnant and health complications forced her to quit work. In fact, her physician ordered her to do so, which meant she had to stay off her feet and go on short-term disability. On

March 30, 1994, Judith gave birth and subsequently went on parental leave.

The result of her pregnancy, medical condition and her parental leave meant that Judith could not complete the three courses she was required to take. Further compounding Judith's problem is that the Real Estate and Business Brokers Act does not contain any flexibility for parental or medical leave. Consequently, Judith is unemployed and unable to sell real estate.

On behalf of my constituent and other women and families in similar circumstances, I am urging the government to amend the Real Estate and Business Brokers Act to accommodate parental and medical leave. If the act cannot be amended quickly, then the minister must take whatever steps are necessary to correct this injustice.

How can a government that brought in legislation to extend parental leave not think to amend legislation that punishes individuals who take this leave? One law is clearly cancelling out the other. The government's failure to harmonize and coordinate its legislation is cruel and unusual punishment inflicted upon individuals like Judith Ann Wilson and other working women.

### JOBS ONTARIO

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** Today I would like to welcome some visitors from my riding. It has been my privilege to work very closely with Jobs Ontario Training brokers in my riding over the past few years. Today, we have with us in the members' gallery an employer, Jim Blakely, of Ecowater in Picton; a trainee, Randy Minnie; and a representative of the broker, Devon Coburn of Edprin Job Training of Prince Edward county. I'd like to thank these people for coming all the way from Picton, and I would like to recognize the thousands of people who have participated in Jobs Ontario Training in my riding.

A month ago, I met a woman named Angela Lumley who was a trainee. As a single mother living in a small community, she had been looking desperately for a job for several years. Like many others, she did not wish to be on social assistance, but it appeared she had no choice until she contacted her local broker. Now she is very happy to be working as a Jobs Ontario trainee at Mark's Custom Collision, an auto body shop in Bloomfield, and she will have a permanent job when the training period is over.

This is one of the reasons I am so shocked that the opposition Liberal Party says it wants to cancel Jobs Ontario and that the leader of the third party, Mr Harris, encourages single mothers to quit their jobs and go on welfare. In my experience, most of the unemployed and people on social assistance do want to work. Jobs Ontario Training is about getting people back into the workforce.



It is working in my riding and across the province, and there are thousands of satisfied participants to testify to this.

#### LEGISLATIVE DEBATE

**Mr James J. Bradley (St Catharines):** Democracy is under siege in the Legislative Assembly of Ontario. After imposing draconian new rules that severely limit the ability of opposition members and government backbenchers to carry out their responsibilities by restricting the amount of time MPPs are permitted to speak, and giving ministers new powers to determine the length of debates, this government has now also restricted the parliamentary calendar and has reduced the number of days this House normally sits.

"Normally sits" is a good statement because this House, this session, will sit only 20 days, and yet the government of Ontario continues to impose time allocation motions, the kind of motions now entertained because of the rule changes by Premier Bob Rae: 1991, Rent Control Act; Bill 143, environment; 1992, Bill 40, Ontario labour relations amendment act; Bill 150, labour-sponsored venture capital; Bills 74, 108, 109, 110, the advocacy package; Bill 121, rent control.

The list goes on: 1993, Bill 100, regulated health professions; Bill 8, casinos; Bill 80, Ontario Labour Relations Act, construction; Bill 47, photo-radar; Bill 48, social contract; Bill 164, auto insurance. There are more, by the way.

In this session we have Bill 173, long-term care; Bill 163, planning and municipal conflict of interest; Bill 165, the Workers' Compensation Board. Democracy is indeed in peril.

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#### MINISTRY OF TRANSPORTATION EMPLOYEES

**Mr David Turnbull (York Mills):** Sixty-one highway construction workers at the Ministry of Transportation have spent the last six and a half years pursuing a re-classification grievance. The Ontario Public Service Employees Union had to jump through every hoop the Ministry of Transportation could possibly place in its path. They persevered, and they won. In August 1994, the Ministry of Transportation finally signed a memorandum of settlement that gave retroactive wage increases to its workers.

The Management Board of Cabinet signed this arbitration award in October of this year, and after all these years, that's where the matter stands. The workers have heard nothing since then, nor have they seen their raises and retroactive pay. Is this a fair way for the government to treat its workers?

The questions must be asked: Is the NDP in favour of arbitration? Are they prepared to honour the awards when they lose against workers? The government asks workers to follow settlement procedures and they have a right to have the results respected. I call on the minister to implement the terms of the arbitration award as ordered by the board of arbitration.

#### FIRE PREVENTION AND PUBLIC EDUCATION AWARD

**Mr Gary Wilson (Kingston and The Islands):** I am

very pleased to inform the House of an award won by Kingston's Cablenet 13 for its part in fire prevention.

The Fire Prevention and Public Education Awards are given to those organizations, media and persons who, along with the fire service of Ontario, have helped to prevent fires or who educate the public in the prevention of fires.

It is the fear of many people that a fire will break out in their home. But how many of us know best how to protect our families and property? Do we have fire alarms with working batteries? Do we have a plan of action in case of a fire? Public education is an important way to teach the community how to deal with these issues.

Cablenet 13 won the Fire Prevention and Public Education Award for an excellent series of programs and interviews with fire department staff throughout the year. These programs and messages helped raise awareness about fire safety and fire prevention in our community.

Rob Heeney, program manager of Cablenet 13, received the award on behalf of the station at a luncheon hosted by the Ministry of the Solicitor General and Correctional Services. Rob was accompanied by Gil Pomeroy, a Kingston firefighter who works in the area of education.

The importance of public services like the fire service can't be overestimated. They are what make our communities appealing, both to live in and to invest in. One measure of the Kingston area's success in this regard is reported in an article in Saturday's Whig-Standard. It lists a number of recently announced projects whose value is a record \$1.2 billion.

Public services mean we are able to develop the wealth this investment creates to improve our communities for ourselves and our children. Cablenet's series on fire prevention adds to everyone's security. I commend the people who put it together for a job well done.

#### ADVOCACY COMMISSION

**Mrs Elinor Caplan (Oriole):** I am very concerned about the way the government is developing a damn-the-torpedoes, ram-it-through approach to the establishment of the very expensive Advocacy Commission. We know that they attempted in Bill 175 to sneak through the kinds of amendments that would allow the commission to hire, pay wages and staff up.

The estimates are that this Advocacy Commission is going to cost between \$30 million and \$80 million. The commission, as of today, has no legal authority for hiring or staffing and yet we see them spending a fortune of money on advertising for rights advisers, regional facilitators and intake and referral officers. We are very concerned that they are forging ahead without the legal authority to do so and that as they proceed to do this, they are placing in jeopardy a program which has worked well for the past 11 years.

The provincial Psychiatric Patient Advocate Office, which is a quasi-independent body, part of the Ministry of Health and one that I am very familiar with, has worked hard and is working hard to advocate for those vulnerable and unfortunate people who are in our provincial psychiatric hospitals. The way the government is

proceeding to establish the Advocacy Commission, I believe, will place in jeopardy the rights of those individuals who have been well served by the Psychiatric Patient Advocate Office, and I'd ask it to reconsider its bad policy while there is still time.

#### EDUCATION FINANCING

**Mrs Dianne Cunningham (London North):** In June 1994, the government passed Bill 160, the Budget Measures Act, which changed the basis on which school boards will share assessment of publicly traded corporations and some non-share capital corporations. The sharing of this assessment will be based on enrolment as opposed to a ratio of residential and farm assessment and will be phased in starting in 1996.

The new legislation states that the ministry will divide this portion of the local assessment among the public, separate and French-language boards based on the number of students in each board.

"Student" will be defined in regulations to be developed in 1995. The Ontario Public School Boards' Association's discussions with the ministry have revealed that "student" so far will be defined as only those enrolled in day school and will not take into consideration students enrolled in evening adult/continuing education credit courses. The Ontario Public School Boards' Association has urged the government to broaden the definition of "student" to include full- and part-time students plus students enrolled in adult/continuing education programs.

On August 30, 1994, Mr Ernie Eves wrote the Minister of Education and Training on behalf of the OPSBA asking that he review the situation and provide comments. Mr Eves does not have a response. I urge the minister to consider the concerns that have been raised by OPSBA and the OSSTF as they draft regulations for Bill 160.

#### STANPAC INC

**Mr Ron Hansen (Lincoln):** I rise to pay tribute to a company that is up to its ears in pogs. Stanpac Inc of Smithville produces more than a million of these decorative milk caps a day and ships them as far away as California and Hawaii. School children collect them and trade them and even use them in a game called Pogs.

Stanpac also manufactures bottle caps, ice-cream packaging, glass milk bottles, capping machinery and inner seals.

Just last week, the company was recognized with a special economic renewal award from the Premier's Council. It was nominated by the West Lincoln Chamber of Commerce. It is one of 19 Ontario businesses to receive this new award. To be nominated, a company must exhibit a commitment to innovation in the development of new or improved goods and services; success in achieving sustainable development; positive labour-management relations; and excellence in design. Stanpac fits the bill to a T.

With \$10 million in annual sales, Stanpac designs and develops at least one successful product each year. These innovations have led to new markets in the US, Central America, South Africa, South America, Australia, New Zealand, Europe and Asia. Stanpac has had an annual growth rate of about 35% for the past seven years.

Stanpac has a profit-sharing program, and all employees meet with management on a monthly basis. Stanpac's strategy is working. When Stanpac came to Smithville in 1970, there were only four employees; now there are 70, all of them dedicated to making Stanpac a huge success in the international marketplace. Teamwork has made Stanpac a big player in a competitive market.

Congratulations to the employees of Stanpac for a job well done.

#### WITHDRAWAL OF BILL

**The Speaker (Hon David Warner):** On Thursday, November 24, the member for Durham West, Mr Wiseman, introduced a bill entitled An Act to amend the Regional Municipality of Durham Act, the Municipal Act and the Regional Municipalities Act. It has been brought to my attention that this bill appears to be incomplete and so contravenes section 38(d) of our standing orders in that it is in improper form. I must therefore rule this bill out of order, and it must be removed from the Orders and Notices paper.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

#### CORPS D'ÉLITE ONTARIO AWARDS

**Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation):** It is my privilege today to welcome three special visitors to the Legislature. With us in the members' gallery are this year's recipients of the Corps d'Élite Ontario Awards, our province's highest distinction in the field of recreation. Their families are also here today in the visitors' gallery. They are Robert Christie of St Catharines, Paul Mainprize of Mount Albert and Coreen Mills of Echo Bay.

The Corps d'Élite Ontario Awards honour outstanding recreation volunteers and professionals from across Ontario. In doing so, they affirm the vital importance of recreation in the community life of this province.

Participation in sports and recreational activities benefits us all. It promotes a healthy lifestyle and contributes to our physical and emotional wellbeing. Not coincidentally, youth active in sports and recreation generally perform better in school.

Recreation supports family unity. It builds stronger communities, bringing the diverse members of our society together in pursuit of common interests. It is also a very significant factor in youth crime prevention.

Recreation is a foundation of personal development and community pride, an agent for social change and a catalyst for economic renewal and growth. It is the biggest incentive for community volunteer involvement, frequently leading to greater citizenship involvement in the all-round political life of our communities.

#### 1350

The 1994 recipients of the Corps d'Élite Ontario Awards have recognized the tremendous value of these benefits and have devoted time and effort to ensure that they're available to all Ontarians. These three individuals have demonstrated leadership, determination and commitment in working with local and provincial organizations to improve our recreation and sports system and to strengthen its ability to address community needs and



concerns. For the energy, the creativity and the perseverance that they've brought to their task, for their personal sacrifice and their sense of duty, they deserve both our gratitude and our respect.

In just a few minutes, these three distinguished individuals will receive their awards in a ceremony presided over by the Honourable Henry Jackman, Lieutenant Governor of Ontario.

I'd like now to ask our visitors to stand in order that this Legislature may show these special Ontarians our appreciation of their efforts. They are Robert Christie, Paul Mainprize and Coreen Mills. In recognizing these three people, I know this Legislature is also showing our appreciation to all the many recreation professionals and volunteers who contribute so profoundly to building the quality of life in this province.

**Mr James J. Bradley (St Catharines):** The Liberal spokesperson in the field of tourism and recreation, Hugh O'Neil from Quinte, has yielded the floor to me because one of the three people who is being honoured today is from the city of St Catharines. I'm going to have the honour of reading into the record what will be said a little later on this afternoon, that is, something about the people who will be the recipients of this prestigious award.

First of all, Robert Christie: I don't know him as Robert; I know him as Bob. Bob began his career in Walkerton as the director of municipal recreation. In 1963, he joined the St Catharines department of recreation and spent the next 31 years serving the citizens of the Garden City. During those years he became very involved in his spare time with many organizations.

Chief among his voluntary pursuits was his impact on the Society of Directors of Municipal Recreation of Ontario. One of his roles was as a chairperson of the board of regents. At that time he established new guidelines which resulted in more equitable grant systems and a better flow of information between the SDMRO and the provincial government.

Bob was instrumental in the formation of the Ontario Recreation Society, where he was a leader in establishing training institutes for professional recreationists and streamlined procedures for the writing of fellowship papers.

Serving in a number of capacities such as secretary, vice-president, president and past-president of SDMRO, Robert initiated citation awards recognizing outstanding contributions by Ontario citizens.

He has worked tirelessly to create better recreation opportunities across Ontario for the physically disabled, for creative artists and for athletes in water-related sports. His efforts established Ontario as a world-class force, and this is evident in his work with recreationists from Germany and England and many contacts in the Olympic Games movement.

Robert has been very active in rowing at the Olympics and the St Catharines Henley Regatta. He has served on the Lincoln County Board of Education and numerous multisports games at the local, regional and provincial levels.

Robert retired earlier this year, which will undoubtedly leave him more time to further his contributions to the development of recreation opportunities in the province.

I also want to mention Coreen Mills of Echo Bay. As a long-time volunteer, Coreen has spent countless hours of unpaid leave from her job promoting recreation and its benefits. Living 30 miles south of Sault Ste Marie, this affiliation has meant many hours of travel to Toronto as a board member of the Ontario Municipal Recreation Association or in fulfilment of her responsibilities with the Parks and Recreation Federation of Ontario.

As Treasurer of OMRA, she maintained the ledgers and journals and prepared reports for the association and Ministry of Culture, Tourism and Recreation. As the secretary, she took the minutes, returned to Echo Bay and would then type, collate, copy and mail those minutes to all the board members and liaisons.

Coreen has also served as vice-president of OMRA and worked on zone development and improving training opportunities for board members. Much of those training opportunities were weekend workshops in Toronto. Mrs Mills served two terms as president of OMRA and during that time accomplished much. In addition, as her association's representative on the board of the Parks and Recreation Federation of Ontario, she made five trips a year to Toronto. Coreen's main interest at the time was the partners in training program and the anti-drug initiative. She visited many school boards, bringing the anti-drug message to students and teachers alike.

Coreen has worked very hard in her Algoma zone. She helped plan three zone conferences and was a founding member of the Algoma District Recreation Association. Bringing training sessions to Algoma-based volunteers and professionals has been a major goal for Coreen. Whether it was to arrange board meetings, set agendas, ensure the distribution of committee reports or develop an office procedure policy, Coreen was there doing her part to ensure successful conclusion to the task.

In addition to being a wife and mother, she has a job. You see, ladies and gentlemen, Coreen Mills also drives a 72-passenger school bus 10 months of the year, something she has done for the last 19 years.

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** And she just got elected to municipal council.

**Mr Bradley:** I'm informed as well by Mr Wildman, who is the member for Echo Bay, that she was elected to municipal council.

There's a third person by the name of Paul Mainprize of Mount Albert, and I'm going to provide for the member of the Progressive Conservative Party some information on Mr Mainprize so that can be in the records of the Legislative Assembly as well. I've had the opportunity to do it for two of the people. I congratulate all of them, and you'll find for once the members of the Legislature are unanimous in their accolades for those who are devoting so much of their volunteer and professional time to recreation in Ontario.

**Mr Ted Arnott (Wellington):** I'm pleased, on behalf of the Conservative caucus, to rise and have the oppor-

tunity to say a few words of thanks in recognition of this year's recipients of the Corps d'Élite awards. The winners of this year's awards, as well as the many tens of thousands of other recreational volunteers in this province, all deserve our thanks and appreciation for devoting their time towards enriching the recreational opportunities for people in Ontario. As volunteers, they often devote many, many hours to their communities and must juggle family responsibilities, work commitments, and they do it to develop and improve recreational opportunities in their home communities.

There is no disputing the benefits of recreation and its link to good health. Recreational pursuits keep people active and fit, they provide an outside focus for many people and act as a positive outlet for physical and mental stress. And as our orientation to health care changes, with more emphasis being given to a more preventive approach, I believe we should be encouraging people to participate in the recreational programs in their communities.

The core of community recreation is made up of volunteers and volunteer organizations, and once again I would like to extend my thanks and congratulations to the Corps d'Élite recipients for their outstanding work in recreation, and also especially thank Mr Mainprize, whose name didn't come up earlier.

**Mr Chris Stockwell (Etobicoke West):** On a point of order, Mr Speaker: I'm quoting from standing order 33(a), page 26. We came back to this Legislature four weeks late, and the opposition parties have been diligent in working out their question period agenda. According to 33(a), and according to the information we received from the government today, 13 ministers are not going to be here today, including the Premier and the Deputy Premier. It makes it very difficult, considering the fact that for four weeks these people couldn't come back to work, and when they finally do come back to work, only half of the cabinet bothers showing up for question period.

When we're in opposition and we're setting up our schedule of questions and we get our questions scheduled and then we get the information from the House leader of the government side that half of the cabinet, including the Premier and Deputy Premier, will not be here, it makes very frustrating the efforts that we take in the morning to try and set the schedules for the afternoon.

Mr Speaker, I would ask you if you could in fact speak with the House leader and maybe even the Premier to try and get these people to begin showing up for work.

**The Speaker (Hon David Warner):** To the honourable member for Etobicoke West, he will know that he does not have a point of order. The Chair is not aware of lists that may or may not be circulated. There is a quorum in the House. In fact, I haven't called for oral questions yet.

#### VISITOR

**The Speaker (Hon David Warner):** Prior to doing that, I was going to invite all members to join me in welcoming a former member of the assembly, former member for Cochrane North Mr René Fontaine, who is

seated in the members' gallery west. Welcome.

1400

#### CORPS D'ÉLITE ONTARIO AWARDS

**Mr James J. Bradley (St Catharines):** I'd like to seek unanimous consent of the House for about a minute and a half. I had the opportunity, and time ran out on mine, to read into the record information about two of the people who are receiving the awards. Could I have unanimous consent for the third one? Mr Beer would read it in.

**The Speaker (Hon David Warner):** Do we have unanimous consent? Agreed.

**Mr Charles Beer (York-Mackenzie):** I will give what is said about Paul Mainprize from Mount Albert. As a councillor for the township of East Gwillimbury for 12 years, Paul has continually defended a fair share of the municipality's budget to recreation and leisure services. He has served on the speakers' bureau of the Ministry of Culture, Tourism and Recreation.

Two of his major topics have been violence in recreation and the benefits of recreation. He was on the committee that developed the catalogue for benefits of recreation and has served on the coalition against sexual harassment committee and the gender equity in sport committee.

While serving eight years on the board of directors for the Ontario Municipal Recreation Association, Paul has also served as treasurer, vice-president and president for OMRA. Among his accomplishments, he computerized the association's budget, developed the terms of reference for the association's strategic plan and continuously strived to raise the profile of recreation within the provincial government.

Paul provided extensive lobbying to the provincial government, which resulted in the preservation of the Ministry of Culture, Tourism and Recreation's annual grants program to municipalities as seen in Ontario regulation 517. A concerned voice for recreation, it was that very concern that prompted this businessman to run for council in East Gwillimbury. His 12 years on council were spent chairing the community services committee for six years and then heading up the municipality's finance committee for another six years.

As a member of the Mount Albert United Church centennial committee, Mr Mainprize helped to develop senior citizens' subsidized apartments and he is currently on the board of directors responsible for the administration of that complex.

His 30-year affiliation with the Mount Albert and District Lions Club is another example of the tremendous amount of time and effort represented by this volunteer's impact in the province of Ontario.

Both the member for Durham-York and I know Mr Mainprize well and we're delighted that he has received the award today.

#### ORAL QUESTIONS

##### DRINKING AND DRIVING

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is to the Attorney General. Two years ago,



the previous Attorney General announced that he was looking at new initiatives the government could take to curb drinking and driving. So far, we have seen nothing of those particular initiatives. We are also disturbed by recent reports that the budget for putting in place measures to combat drinking and driving has been cut and that grants for community prevention programs are on hold.

Last week, the Attorney General said that more education was needed to reduce drinking and driving. We agree. If she believes that to be the case, can the Attorney General tell us what her budget is for this year for drinking-and-driving countermeasures, how that budget for drinking-and-driving countermeasures compares to last year's budget, and can she assure us in this House that there have been and will be no cuts to community prevention programs?

**Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues):** The current community grants budget is \$251,500. The application forms have been sent out and grant applications have been received. It is certainly our intention to continue to help support very successful programs, particularly those that involve young people, and we've seen many, many successful programs in communities.

But we also believe that it's important for the community to be involved in those programs and we have seen a great success, particularly again for the student groups, in persuading corporations and community groups to support them in their efforts.

In the last countermeasures conference that I was at we discussed some of those methods, and the subsequent conference that the Ontario Community Council on Impaired Driving groups had, had been very successful in attracting that kind of support. So in addition to government money, there is community money being donated by corporations and by community groups to this and that makes it more of a full community program.

**Mrs McLeod:** We don't in any way take issue with the value of the programs. Our respect for the value of the programs is the reason for raising the question. I think the minister has successfully avoided answering the question I raised, which is, how does this year's budget for these measures and for these community programs relate to last year's budget? We're concerned about whether this is one of the areas in which cuts are being made. We are questioning how serious this government is about dealing with drinking and driving.

We are extremely concerned as well about the support for municipal RIDE programs. Everyone in the House will agree that the RIDE programs that are operated by municipal police forces across the province have proven to be an effective tool in the fight against drunk driving. So it is surprising and it is extremely disappointing to learn that the government is indeed reducing funds that it makes available for this particular program. According to the public accounts books, the amount of money the Ministry of the Solicitor General is spending on municipal RIDE programs has fallen from \$549,176 in 1991-92 to \$380,176 in 1993-94. This is a clear indication that this government has been slashing funding for a program

that is extremely effective in keeping drunk drivers from killing people.

Minister, will you make a commitment to review this misguided decision with the Solicitor General, and will you tell us, since it seems as though there is not a clear commitment to either the community prevention program budget or the funding for RIDE, just how serious your government is about dealing with drinking and driving?

**Hon Mrs Boyd:** Well, no one on this side of the House is surprised that the Leader of the Opposition is misinformed again. The Solicitor General has put \$600,000 into the municipal RIDE program. Those are dollars that are available to municipalities, and indeed we are encouraging municipalities to take them up. In addition, the member should know that the government has paid 100% of the costs of replacing the breathalyser equipment that was found to be defective last year. We are doing what we can to help our municipalities and of course our own Ontario Provincial Police to be as effective as possible in dealing with this issue.

I would say to the member that she is, first of all, mistaken in her information and, second of all, quite unfair in the way that she castigates the government.

**Mrs McLeod:** Mr Speaker, you will appreciate that we in opposition have two sources of information on which we can hold this government accountable. One is the public accounts books. The public accounts books very clearly show—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mrs McLeod:** Again, the information on the reduction in support for the municipal RIDE program comes from the public accounts book.

Our second source of information admittedly is the responses that ministers provide us in this House. Since the minister, the Attorney General, will not answer the question of how this year's budget compares to last year's budget for community prevention, on what basis can we determine whether the budget has been cut? There is no line item in public accounts for this budget, we can't find it there, and the minister won't answer the question in the House.

We raise the issues because we believe it's absolutely essential that the government be looking at using every means possible in order to combat the very serious problem with drinking and driving.

I raise one other aspect of the issue, and that's the fact that more than a year ago the Legislature gave first reading to a bill by the member for Mississauga North which gives society another tool to fight drunk driving. This bill would prohibit anyone under the age of 19 from driving while having any alcohol in their blood and would significantly increase penalties for any conviction.

In 1992, drinking was a factor in 249 personal injury traffic accidents for drivers between the ages of 16 and 18. Twelve of these young people died after drinking and getting behind the wheel of an automobile.

I believe we have an opportunity to send a strong message to young people that drinking and driving don't mix. I would ask the Attorney General: As you examine

other legislative proposals for dealing with drinking and driving, as you look at legislative proposals that you may be prepared to bring forward, will you give serious consideration to this legislation to deal seriously with the issue of under-aged drinking and driving?

**Hon Mrs Boyd:** We've spent a lot of time in this Legislature talking about the graduated licence legislation that just passed, and in that legislation drivers between 16 and 18 years old are required to have zero blood alcohol content in their blood in order to drive. So there's no reason for us to entertain the legislation that the member for Mississauga North has put into place, and we have said that many, many times. There are other ways of dealing with this issue, and that is the major one, one which met with, frankly, the approval of this whole House.

**Mrs McLeod:** I would have hoped the minister was at least prepared to look at the issue of penalties for people who are convicted under this particular issue.

1410

#### POST-SECONDARY EDUCATION

**Mrs Lyn McLeod (Leader of the Opposition):** My second question I will place to the acting Deputy Premier, in the absence of the Premier and the Deputy Premier, and in fact the Minister of Education and Training, to whom the question really should be directed. I make the preface because I recognize the fact that although this question is one which we are extremely concerned about, the minister may not be in a position to be aware of all of the details of the issue.

Nevertheless, I raise the question. It's a question of access of Ontario students to post-secondary education. I raise the issue because I believe one of the hallmarks of the Canadian university system is that it has always been an open system, that students from literally any part of the country could choose to apply to study at any of the universities across the country. I believe our system is one that was built on the belief that young people in our country should have every opportunity to pursue their career goals, to make them a reality, and that that should include the ability to travel to other provinces to study.

Minister, I ask if you can tell me whether there has been any change in the admission policies at Ontario's universities or whether students from across the country are still welcome at Ontario universities.

**Hon Frances Lankin (Minister of Economic Development and Trade):** I do try my best, in the absence of others, to fill in. I heard clearly that I was the Leader of the Opposition's fourth choice, and rightly so, because I actually don't know the answer to that question. I will have to stand it down and attempt to get that answer from the ministry.

The Minister of Education and Training, as you know, is representing Canada at a Commonwealth ministers of education conference sponsored by the Canadian government and is heading up the Canadian delegation. I will attempt to get that information from his ministry and pass it on to the member.

**Mrs McLeod:** I raise the question because I have a letter here that was received by a constituent of the mem-

ber for Scarborough North. It's from the McGill University faculty of medicine. The letter says, "We regret to inform you that the Quebec government, in response to a request from the province of Ontario, has recently prohibited Quebec universities from accepting applicants who are Canadian citizens or permanent residents whose place of residence is outside of Quebec." I stress the fact that this is a constituent, a young woman, a resident of Ontario, who cannot even apply to the McGill medical school because the Ontario government, her government, has told Quebec that they should not accept Ontario students.

Minister, can you think of any possible justification that your government could have for urging the Quebec government to deny young people the right to apply to Quebec medical schools? What purpose can be served by cutting off the opportunity for students in Ontario to study in Quebec?

**Hon Ms Lankin:** As I indicated, I would check with the Ministry of Education. It sounds intriguing at a minimum, and I would want to follow up on this.

The member did make specific reference to the McGill medical school, and I would like to actually follow this up with the Minister of Health as well. The discussions that have taken place with the medical schools here in Ontario at the universities did in part talk about issues of the numbers of Ontario graduates from medical schools, irrespective of source, of where those students came from. I don't know whether or not that may have some national implications with respect to medical schools in other provinces.

That's not an answer. It's only to say to you that I will undertake to follow that up with both ministries in case there is an overlap of the issues.

**Mrs McLeod:** We're well aware that there was a meeting of provincial health ministers and that one of the items for discussion at that meeting was whether there could be put in place national solutions to some of the problems in terms of numbers of people applying to medical schools. There was discussion of whether or not the number of spots for medical schools across the country should be limited, but that is a completely, absolutely different issue than a unilateral restriction for Ontario students applying to attend school in another province. This is absolutely unprecedented and, for us, a very serious issue of restricting the right of choice for Ontario students.

Minister, as well, the urging of your government to restrict Quebec in admitting Ontario students preceded that particular meeting. We have an editorial from the Montreal Gazette, and I don't have an exact time frame other than that this was an issue that dealt with the previous government of Quebec, in which it says: "Ontario health officials had been pressuring the Quebec health department to block Ontario residents from studying here and returning home to practise. It is surprising that the Quebec government should have acceded to Ontario's request. Ontario already limits who can practise within its borders; now it apparently wants to restrict who can study outside of its borders."

The editorial also indicates that Quebec medical facil-



ities are upset about provinces restricting access to education, and it quotes the dean of medicine at McGill as saying: "In the past we would have gone to the Quebec government to explain the intellectual advantages of diversity. In general, we got a sympathetic hearing. Now we are politically strapped. It is difficult for us to go to another province (Ontario) that is trying to build a wall around its borders and control the input and output of students."

This is an issue that concerns the Ontario Medical Association, the Canadian Medical Association, and PAIRO. We ask the minister if she will endeavour to find out whether this is a policy that governs Quebec only or whether this same kind of barrier is being put up for students from Ontario to study in other provinces as well. If so, Minister, can you tell us why?

**Hon Ms Lankin:** At the risk of being repetitive, once again I will commit to the member opposite that I will follow up on the questions she has raised.

I do think it's interesting that as the questions developed, we did move from the area of general access of students to education in other provinces specifically to medical schools. In fact, I'm glad to see that as the questions got more specific, we narrowed in on that, because I think it would have led the public viewing this show to believe that all students were being blocked from attending McGill, or Ontario students, so it is good when you get down to the kernel of it.

Now it appears that we're dealing with the issue that the Ministry of Health has negotiated and discussed with the universities here and with the medical association about the number of graduating doctors required to practise medicine and what impact that may have on students training in other jurisdictions to practise here in Ontario and whether or not there are limits to the numbers. I think those are relevant questions.

Just in wrapping up, let me say that with respect to the issue of access to university education, I share the member opposite's concerns and I would urge her to try and deal with this issue on the bigger picture. To me, that would mean dealing with her federal Liberal counterpart government, which is at this point in time, in terms of the information we have heard, the true threat to the issue of access to university education for Ontarians, and in fact for all Canadians.

#### RIDEAU REGIONAL CENTRE

**Mr Robert W. Runciman (Leeds-Grenville):** I have a question for the Minister of Community and Social Services. On October 14, I wrote you concerning a case of student hazing at the Rideau Regional Centre just outside of Smiths Falls, an institution for developmentally delayed adults. I relayed to you how on April 24, 1992, Kim Wright, a young college student on work placement at Rideau Regional, was subjected to an incident of hazing so serious it damaged her health and made her physically unable to pursue the career she has been trained for.

It's six weeks, Minister, and I have yet to receive a response, so I'm going to pose two of the questions to you today in the House. What disciplinary measures were

taken, following that 1992 incident, against staff at Rideau Regional? What policies have been put in place to prevent a recurrence?

**Hon Tony Silipo (Minister of Community and Social Services):** I will follow up when I get back to my office to see why the member didn't get a reply, because I remember signing a letter in response to his letter to me on this issue.

Let me just say to him that I hope he will appreciate that on the specific incident he referred to, he knows this is now an issue that's before the courts. There is a civil suit in the courts, and it would be inappropriate for me to comment on that particular issue.

I can say to him, however, on the broader issue that he raises around the policy, that since that incident—and we've had a chance to verify this as a result of his letter to me—there has been a very clear policy established at that centre to indicate that hazing is not an acceptable practice of behaviour, and my understanding is that the policy has been applied.

1420

**Mr Runciman:** The minister's understanding is incorrect. We have reported incidents of hazing again this year, this spring, with students from St Lawrence College.

I didn't ask you to comment on specifics surrounding this case, which is before a civil court. I asked you about disciplinary measures that may have been taken against staff who were involved in this incident. I don't think there's any denial that the incident occurred. It's in respect of the repercussions and what followed in terms of Kim Wright's claims in respect to permanent health damage and her ability to find future employment—those are the questions the civil court action is involved with, not in terms of disciplinary action.

It's been over two years since this incident occurred. You say that policies have been put in place. We now hear that these continue to occur, have occurred again this spring. Once again I ask you what you are doing in a meaningful way. What disciplinary action did you take following the 1992 incident?

**Hon Mr Silipo:** I hope the member will appreciate that I need to continue to be guided in what I can say about this particular incident by the legal advice I receive in the ministry, and I'm going to continue to resist to make a comment on the specific incident. If there is additional information that I'm at liberty to provide, I will be more than happy to do that, including specifically the question around any disciplinary actions that may have been taken.

But let me say that we also pursued, and I was quite interested in getting, information through our officials in the ministry about the allegations of additional reported incidents, as the honourable member has mentioned. I can tell him that as a result of our inquiries, we have no information of any additional incidents that have taken place since that time. Again, if the member has any further information that he would like to share with us, I would be certainly happy to receive it and to make sure it is investigated. But my understanding—and I've taken steps to ensure that we've asked the questions, that we've

received the information—is that there have been no further incidents and that in fact there has been a very clear policy established at the centre.

**Mr Runciman:** It's a sad commentary in respect to the minister's being on top of this issue. Apparently he isn't, because we have the names of the individuals involved in the spring incidents, and we'll be glad to share them with him. Clearly he is unaware of them, and that's unfortunate, to say the least.

I want to talk about the kind of incident that occurred with Kim Wright. She was confronted, when she was escorting a patient from the institution, by male employees who attempted to drag her into a shower. They were armed with a jar of Vaseline. She was able to get away from them and lock herself in a small washroom. The employees then used a hair dryer to blow baby powder under the door to try and force her out, and she coughed and vomited so violently from the baby powder that she burst all the blood vessels in her face, neck and throat.

**Hon Mr Silipo:** On a point of order, Mr Speaker: As a minister, I try very hard to show my respect for members opposite and their right to ask questions, but I do want to draw to your attention that the member is reading into the record matters that relate to an action before the courts. I think there may be some action that you want to take in that respect.

**The Speaker (Hon David Warner):** Indeed, both members who are asking and those who are replying to questions should be aware of matters which are currently before the courts. It's impossible for the Chair to know that, and members should be guided by that principle.

**Mr Runciman:** This has been in the news media at length and with considerably more detail than I'm putting on the record today. I guess we're just a little sick and tired of self-righteous pontification on the part of those ministers across the way.

For years we heard this sort of thing in respect to concerns about what's happening to women throughout this province.

**The Speaker:** Could the member place a question, please.

**Mr Runciman:** Here's a situation where this minister and his government have had over two and a half years to act and apparently they've done absolutely nothing. These situations continue.

**The Speaker:** Could the member quickly place his supplementary.

**Mr Runciman:** My point really is that this is a very serious matter and it may not only apply to one institution. Once again I ask the minister to have a full, open process in respect to taking a look at this situation at Rideau Regional in Smiths Falls, but also at all of the institutions that fall under his control where students are involved in placement situations. Is this continuing to happen right across the province? Are other, more serious incidents happening? What is he doing about the broader picture?

**Hon Mr Silipo:** If the member doesn't want to believe what I've told him, that's fine; that's his prerogative.

But I have said to him clearly, and I will reiterate, there is a clear policy at this centre that clearly indicates that this kind of behaviour is not acceptable. I've said that to the member. I've said to him that upon receiving his letter with allegations of further incidents having taken place, we have investigated, we've asked the people who run the centre, the supervisors there, and we were told there have been no further instances.

The member says he has information that indicates further incidents have happened. I wish he would share that with us. I will assure him that it will also be investigated and we will get to the bottom of it. If further incidents have happened, we will deal with them, but I can only deal with information that we have and we can only do our job on the basis of information that we have and on the basis of what the people who are in charge of running these centres can tell us. So I look forward to receiving the additional information that the member has and I think that's the effective way in which we can deal with this and similar issues.

#### ANTI-RACISM ACTIVITIES

**Mr Michael D. Harris (Nipissing):** My question is to the Attorney General on the issue of hate crimes. Nearly two weeks ago the member for Willowdale gave you a copy of materials published by self-identified Nazi Ernst Zundel. This literature included such phrases as: "Now the time and hour has come for the American and Canadian patriotic movement to rise like one man and vent their wrath on those German traitors and vassals. We can finally lance that festering boil and expose the Holocaust racket."

At the time, two weeks ago, you undertook to see if this material constituted a hate crime. Can you tell us today if you intend to lay charges against Ernst Zundel?

**Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues):** I cannot tell the member that at this point. I can tell him that I handed the material over immediately to our crown law office and asked them to work with both the police and the federal authorities to see whether or not this was the kind of material that would constitute a charge.

**Mr Harris:** Last week a visible minority teacher at Humberside Collegiate in Toronto was assaulted. According to the Toronto Star, the attack came on the heels of a series of swastika carvings and other racially motivated incidents. Five non-white teachers received threatening letters which said: "We hope you will take us seriously or non-white teachers will face the consequences. Remember we can take any steps from class disturbances to physical harm."

Given that the police were called in to investigate, can you tell us if you intend to lay hate crime charges as a result of this series of shocking incidents at Humberside Collegiate?

**Hon Mrs Boyd:** As I've said in this House many times before, the Attorney General does not lay charges. If the police bring forward charges in the hate literature section, it is something that needs my permission to go ahead with.

I have not received any charges on hate literature from



this particular thing to this point. They would be fully considered from a legal standpoint in terms of the test that applies for all cases: whether there is a reasonable prospect of conviction. I can assure the member that if in fact those charges come forward and meet that test, I would be endorsing such a charge.

**Mr Harris:** Crown law officers can ask police to lay charges, and crown law officers work for you. Many have told us that if they did so, this nonsense would stop. Racially motivated incidents are never acceptable, but when they occur in the school system, full of impressionable minds, they're even more detrimental.

Karen Mock, the executive director of the League for Human Rights of B'nai Brith, says they have been telling you and, quite frankly, the government before you—this is what they tell us—

**Hon Ed Philip (Minister of Municipal Affairs):** What about the government before that?

**Mr Harris:** No, they say five years. I'm just quoting Karen Mock. This is what she told us, that schools were the target of white supremacist organizations. She calls the incident at Humberside a "rude awakening that could have been prevented if the proper steps were taken."

1430

Attorney General, this is not the first occasion I have raised this issue with you, and the seeming lack of commitment of you, your crown law officers, your government to use the existing legislation, and if it isn't good enough, to bring in new legislation. Karen Mock says it could have been prevented if the proper steps were taken.

I would ask you this in a very serious way: If your government is as serious about rooting out hate crimes as all the rhetoric suggests—in spite of the catcalling and interventions from some of your colleagues right now, you had personally, and the Premier, lots of good rhetoric—can you explain why you have ignored the offer of assistance and advice from the B'nai Brith to help you solve this problem? Why have you ignored them?

**Hon Mrs Boyd:** This is absolute nonsense. The anti-racism round table, which happens to be meeting even as we speak, has representation from B'nai Brith. We are consulting with those groups and in fact have consistently consulted with those groups. So this is just absolute nonsense. Once more the member opposite suggests that I bring forward legislation. He knows that the jurisdiction for the Criminal Code is the federal government and that no provincial government can bring forward that kind of issue.

The member opposite also knows that as to the remedies we have available to us in terms of the current Criminal Code, we have made representation to the federal government about the difficulty of dealing with that. All the provinces have been working together with the federal government. We've seen some changes in the code come forward in the last couple of weeks by the federal Justice minister.

All this rhetoric opposite about not taking action is simply nonsense. We take very seriously what has happened, very, very seriously indeed, and we are working very strongly with the community to counter this

kind of racist behaviour which all of us find abhorrent.

**Mr Monte Kwinter (Wilson Heights):** On a point of order, Mr Speaker: As founding president of the Toronto Regional Council of B'nai Brith, I'd like to correct the record. The leader of the third party doesn't seem to know the pronunciation of it.

POLITICAL STAFF

**Mr Steven W. Mahoney (Mississauga West):** My question is to the Chair of Management Board. Minister, on the weekend I was just sitting around reading this somewhat self-serving document, the Ontario Star. The only way you can get good press is to put out your own newspaper. That's pretty clear.

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Mahoney:** It's not nice to tease the bears, I guess, Mr Speaker, but I'm trying to ask a question here. I want to quote an article here where it says:

"Ontario government moves to reduce waste and improve efficiency have meant some big changes in the way that Ontario does business, according to Premier Bob Rae.

"By using state-of-the-art human resource management and excellent strategic management, the Ontario public service is now leaner, less expensive to run and more efficient."

*Applause.*

**Mr Mahoney:** Oh, yes, I think you should congratulate yourselves.

"More obvious changes include the amalgamation of ministries"—when you increase the size of the cabinet—"a freeze on external hiring and a reduction in the size of the Ontario public service."

In the real Star, the Toronto Star, the headline screams, "NDP Staff Leave Jobs for Secure Civil Service." Minister, given the Toronto Star report this weekend that dozens of NDP political staff have received high-paying, supposedly non-partisan jobs in the civil service, will you admit that the hiring freeze referred to in this document does not include your ministers' staff, and will you admit that as long as you've got an NDP card and you work for a minister of this government, you've got a chance to get a job in the real civil service, excluding citizens in this province? Will you admit that's how the hiring is going on in your government?

*Interjections.*

**The Speaker:** Order.

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** The short answer to the member's question is no. The member, in his usual very dramatic fashion, has raised a question here that I think deserves just a little bit of exploration, though.

The member opposite has raised the question of a Star story which talks about political staff from the New Democratic Party moving into the OPS. There are a few who have moved into the OPS, into civil service positions, through an application and interview process. The number of New Democratic Party political staff who have

moved into the OPS, though, is very tiny compared to the number of Liberal political staff who moved down the same road five years ago; a tiny, a very tiny number.

More importantly, with respect to the Liberal staff who moved into the OPS, the members opposite should notice that they're doing a much better job in the public service than they did as political staff to the former administration.

**Mr James J. Bradley (St Catharines):** Is there a freeze on or is there not a freeze on?

**Mr Mahoney:** The member for St Catharines said, "Is there a freeze or isn't there a freeze?" I refer back to "using state-of-the-art human resource management." That's from the self-serving document that you put out at your convention: "state-of-the-art human resource management." No government in living history has ever politicized the civil service the way this government has. No government has even come close to the kind of boondoggle that's happening in the civil service.

*Interjections.*

**The Speaker:** Order.

**Mr Mahoney:** The facts are that you are infiltrating the government with your friends, with people who work for your ministries and own NDP cards. You won't even let members of the public apply for these jobs and yet dozens of NDP political hacks are being quietly shuffled into these non-partisan, public service jobs.

My question to you, Minister, is, why can't my constituents apply for a job in the civil service but somebody who works for one of your ministers can? This is a double standard and it has got to be stopped. Will you commit to stop this practice today?

**Hon Mr Charlton:** The member opposite is emitting gases that I think we might have to have checked for their environmental safety. The member is wrong on all counts. There is a hiring freeze in place, there has been a hiring freeze in place since 1991, and the member opposite knows full well that the hiring freeze requires all ministries to go through a particular process internally before any positions—

**Mr Mahoney:** If you have a card and you work for a minister, you've got a shot at it. If you live in the public, you can't even apply. That is what your state-of-the-art human resources is.

**The Speaker:** Order. Would the member for Mississauga West come to order.

**Hon Mr Charlton:** The member opposite is just totally wrong in all of the comments he's made here today. There has been a hiring freeze in place. All ministries have a process that they are required to go through to attempt to fill those positions internally. Then there's an application process for an exemption. There have been several thousand people hired under that hiring freeze, including some of the member's own constituents, which he says doesn't happen. The member is so out of touch that he has absolutely no idea what's going on.

**Mr Mahoney:** Here it is. It is in your own paper.

**The Speaker:** Order. The member for Mississauga West, come to order.

New question, the honourable leader of the third party.

**Mr Michael D. Harris (Nipissing):** I understand you're trying to fill that trough, but the Liberals built that trough so big, you'll never be able to fill it by the time you leave. Six months is not enough time to fill the trough they built.

*Interjections.*

**The Speaker (Hon David Warner):** Order. Will the leader take his seat, please.

*Interjections.*

**The Speaker:** New question.

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#### SOCIAL ASSISTANCE

**Mr Michael D. Harris (Nipissing):** My question is to the Minister of Community and Social Services on welfare reform. Last week, the Auditor General of Canada released his impartial report on government programs. He concluded that Canada's welfare system has serious problems of dependency, disincentives to work and unsustainable costs. He further concluded that the time for tough choices is now.

I agree. The people of Ontario agree. I would like to ask you, Minister, if you agree with the impartial, non-partisan Auditor General of Canada on the state of Canada's social programs. Do you agree with the Auditor General?

**Hon Tony Silipo (Minister of Community and Social Services):** I think the record and the views of this government are quite clear in terms of also believing that the high dependency rate that exists in this province and indeed across the country is a problem that needs to be tackled. We believe it needs to be tackled in the way we've set out, which is by providing people with supports and opportunities to be able to link back to the workforce.

That's why we've put in place programs like Jobs Ontario Training that have resulted in over 65,000 jobs being created exactly for people who are on welfare or are about to be on welfare, and that's why we believe this initiative and other initiatives are not only saving taxpayers \$200 million, but are the direction we need to pursue in terms of breaking that dependency that many people in the province, through no fault of their own, have found themselves in.

**Mr Harris:** I agree with the Auditor General's findings, not you. In fact, our comprehensive welfare reform package tackles many of the problems he cites. Specifically, the Auditor General found excessive expenditures on passive support measures, extensive and growing dependence on social programs, increasing numbers of employable people claiming welfare, and disincentives to work. We agree and that is why we support workfare and learnfare for Ontario.

Given the Auditor General's findings, will you reconsider your opposition to mandatory training and education to help Ontario's welfare recipients? Will you reconsider that opposition?

**Hon Mr Silipo:** As always, we look forward to any comments that come from any source, including certainly



the federal Auditor General in terms of any further suggestions, but I can say to the member that many of the problems the federal Auditor General points out we in fact have been rectifying for some time. We are moving the system towards one that has more of its focus on getting people back to work.

I'm glad that the leader of the third party has clearly again reiterated his position in terms of being in favour of workfare. We are not. We don't believe that's the direction we need to take. We believe that if you provide people with the supports and the incentives, they will take advantage of those, because the vast majority of people who are on welfare would rather not be on welfare.

We also don't agree with the member opposite, although I realize that today he didn't go into it as one of his directions, that cutting benefits by 20% is something that is a good thing to do. We think that creates a higher level of poverty in this province. We think it particularly hurts kids, and that is something we don't believe in.

What we do believe in doing is providing more supports and more incentives for people to be able to reconnect back to the workforce. That's exactly what we're doing through Jobs Ontario Training, JobLink and many other initiatives that we will have in place before this term is over and which we want to see continue right through.

#### PUBLIC SAFETY

**Mr Rosario Marchese (Fort York):** My question is to the Minister of Municipal Affairs. Last week, Minister, you introduced legislation to deal with illegal after-hours clubs and those establishments where there's a problem with repeated drug dealing and violence. This legislation not only expanded but also toughened my private bill, Bill 180.

However, this weekend there was another incident and the incident took place in my riding. The latest shooting took place in a hall rented out for late-night parties, exactly the sort of situation this legislation proposes to eliminate. This morning, I received 28 calls from frantic constituents asking what we're doing about it. It's a disturbing situation, and my community and the communities across Metro and beyond are very much concerned. Tell us what the status of this legislation is so the people in my community know exactly what's going on.

**Hon Ed Philip (Minister of Municipal Affairs):** I thank the member for the question, because the member of course has been very directly connected with it and indeed introduced a private member's bill, which under its expanded form, having consulted with the police, community groups, the Association of Municipalities of Ontario and the various mayors and so forth, I was able to introduce last week.

The member is quite right. There was an unfortunate incident. A man was shot at 1:30 am in the establishment that he talks about. Luckily the man is not suffering life-threatening injuries, but the matter is certainly of grave concern to those who were in the club and indeed to the neighbours, the police and community leaders.

Last week, this particular club was singled out by one

of the community leaders, Michael Thomas, the president of the Toronto East Downtown Residents' Association, who of course was endorsing the legislation. I understand from our House leader that discussions are ongoing now with the opposition House leaders.

**The Speaker (Hon David Warner):** Would the minister conclude his response, please.

**Hon Mr Philip:** The incident this week underscores the need that has been brought to us by the police, by residents and by municipally elected politicians to move quickly with the bill, and we trust that will be done.

**Mr Marchese:** Municipalities have requested this bill. Clearly the police support what we've done and communities are demanding it. What more do you need to make sure that this bill passes in this legislative sitting?

**Hon Mr Philip:** What we need is a spirit of non-partisanship on this issue. The member is quite right in saying that this legislation has popular support. It was endorsed of course by the chiefs of police and by other community leaders, and anything that the member can do to work with members on the other side to bring cooperation in the quick passage of this bill would be appreciated by all of those groups, because it's not just an incident, not just a problem related to the after-hours clubs that sell liquor, which is the one that he has described and in which we've just had the most recent incident, but also doughnut shops and some other after-hours establishments that have created some serious problems both for the police and for members of the community, and this bill deals with those problems as well. We intend to move as quickly as possible to give people control of their communities once again.

#### GOVERNMENT SPENDING

**Mrs Elinor Caplan (Orillia):** I have a question on government waste for the Chair of Management Board. Last week, huge full-page ads appeared in major dailies across the province for people to be hired to provide advocacy services. The ads, which were sponsored by the Ontario Advocacy Commission, call for persons to fill positions of rights advisers, regional facilitators and intake referral officers. The ads were run at a cost per page of approximately \$5,460 for the Toronto Sun, \$18,000 for the Toronto Star and \$14,000 for the Globe and Mail.

It's my understanding that the Advocacy Commission has no legal authority to hire anyone. They have not yet determined how many advocates will be required to meet their needs to serve vulnerable people. How can the government possibly find the money to pay for ads to recruit an unknown number of employees for the Advocacy Commission when at the same time it's cutting back on support services for vulnerable people in need?

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** The members opposite, as you've noticed, Mr Speaker, have risen on a number of occasions to raise questions about spending habits in this particular government, and I want in a very brief set of comments to start to address the kind of waste that went on in the past administration. All of the advertising that they're referring to here today

is being done within the government's advertising budget for 1994-95, a budget which is reduced by 40% from what those characters spent just a few short years ago.

1450

As you know, the Advocacy Commission will be set up early in the new year. That commission will proceed to do its hiring in a very orderly and cost-effective way, including the advertising which we're doing along with all of the other government advertising that this government does, at 60% of what it cost those characters to do the same thing just a few short years ago.

**Mrs Caplan:** The minister has confirmed the wasteful expenditure of advertising to hire people for an Advocacy Commission; he has refused to answer the questions. I'm going to be very specific right now.

We know that these ads are being paid for through the new fees that are being charged to residents in nursing homes and provincial psychiatric facilities. My question is: What vulnerable group are you going to have to pay for your next set of ads and, very specifically, how many advocates are going to be hired to provide the service? How many would be allocated throughout the province? How can you hire anybody before you can answer these questions? It's gross incompetence.

**Hon Mr Charlton:** The member opposite puts issues in a fashion that just shouldn't be acceptable here in this House. The member knows full well that none of the issues she just raised with respect to fees have any relevance to the spending that this government does on advertising, advertising that was budgeted on a regular basis for a number of years back way into our distant past. If the ads she's referring to are being paid for by anything, they are being paid for by the huge, huge savings we've accomplished as a result of our ability to make this government more efficient than the largesse that was imposed by the Liberal administration in this province: 40% reductions in our spending on professional and consulting fees, 50% reductions in what we spend on space for meetings, conferences and so on. As for the kinds of questions they raise here, the reductions that this government has put in place speak to nothing but a never-ending desire to pursue efficiency.

**The Speaker (Hon David Warner):** New question, the honourable member for Willowdale.

**Mr Charles Harnick (Willowdale):** I thought that the fiscal pillow fight was never going to end.

#### LIMITATIONS REFORM

**Mr Charles Harnick (Willowdale):** My question is for the Attorney General. When the former NDP Attorney General initially announced his proposed changes to the Limitations Act, he stated: "While there are many pressing and legitimate reasons for limitations reform, none is more urgent"—I stress the word "urgent"—"than the need to remove the barriers to justice for victims of sexual assault."

In light of these comments, can you explain why your government has put forth no effort to bring this legislation forward since its introduction for first reading on November 25, 1992?

**Hon Marion Boyd (Attorney General and Minister**

**Responsible for Women's Issues):** I share the sense of urgency that the former Attorney General expressed with respect to sexual assault victims. However, on the Limitations Act, subsequent to our introduction we discovered that there were a number of issues brought forward by the Environment ministry and by the Ontario Native Affairs Secretariat that needed to be dealt with, and we have on a number of occasions approached the opposition members about the need to make those kinds of amendments. What we require is some assurance that those amendments can be done in a timely way since, although this bill is important, it is not part of the priority agenda that was set by the caucus of this government.

**Mr Harnick:** Minister, I can tell you that no one in your ministry has ever approached me to so much as discuss this piece of legislation. In June of last year, and I'm talking about June 1993, and all through last year, in letters that you were sending out or letters that you were responding to, you were telling people like the Ontario Association of Architects that you would proceed with this legislation at the earliest opportunity. Two years have now passed. Nothing has happened. There have been no consultations with the opposition. Can you explain to the Ontario Association of Architects why you've led them to believe that the bill was a government priority when obviously it isn't?

**Hon Mrs Boyd:** The member must be getting forgetful, because on one occasion in the boardroom in my ministry and on another occasion in room 263 in this building, he and I discussed the need to make amendments to the Limitations Act, and I was seeking his agreement that he would support those amendments. Similarly, I spoke to Mr Chiarelli, who is the critic in the Liberal Party, around the similar kind of problem that we were facing. We have not been able to obtain any kind of assurance from them that they would be prepared to entertain timely amendments. I am as constrained by the time constraints within the legislative schedule as any other minister is—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Hon Mrs Boyd:** —and without that agreement, we are not going to be able to bring this matter forward.

**The Speaker:** New question, the honourable member for Ottawa Centre.

**Mr Harnick:** On a point of order, Mr Speaker: I just want to clear the record. On two occasions, I raised this issue at briefings on totally other subjects that the Attorney General had invited me to.

**The Speaker:** No. I thought perhaps the member was rising to correct his own record.

#### HIGHWAY 416

**Ms Evelyn Gigantes (Ottawa Centre):** My question is to the Minister of Transportation. Since the fall election and in the spring, with the new Liberal government, we have seen the federal Liberals talk about adding money to the available funds to speed up construction of Highway 416, the route between 401 and Ottawa-Carleton. The last round of discussions that took place in the press seemed to indicate that there was confusion



about what was being negotiated. Can you tell us, Minister, when you'll be able to meet with the federal minister on this matter?

**Hon Mike Farnan (Minister of Transportation):** I thank the member for Ottawa-Centre for keeping me informed and up to date on the issues in the Ottawa area and eastern Ontario. I also want to tell the House and the people of Ontario very, very specifically that I have written to Mr Eggleton again last week requesting a meeting with him to confirm the federal commitment to fund accelerated construction. As the member well knows, I am prepared to meet with Mr Eggleton without any conditions attached to the meeting. I'm ready to say here and now: "Your place or my place. I'll be there."

**Ms Gigantes:** I wonder if the minister could make clear what is the approach that his ministry will be taking on behalf of our government if in fact we find that the federal funding is not forthcoming. Are we going to be able to proceed with Highway 416?

**Hon Mr Farnan:** I cannot say it often enough: Ontario is committed to building Highway 416. But let's look at some of the facts.

Fact: Prime Minister Chrétien says he is committed to dollars for fast-tracking this project. Fact: The federal government has reneged on its commitment. Fact: The Liberals federally have shown no indication of seriously reversing this stalling tactic.

Fact: Ninety-eight Liberals in Ottawa have proven themselves to be totally ineffective in representing Ontario and the people of eastern Ontario. Fact: The provincial Liberals here in this House are doing absolutely nothing to put pressure on their federal cousins to resolve this problem.

**The Speaker (Hon David Warner):** Could the minister conclude his response, please.

1500

**Hon Mr Farnan:** Even if the federal Liberals break their election promises, we are going to build that project. Construction is already proceeding but, let me say, without the federal Liberal dollars—

**The Speaker:** Could the minister conclude his reply, please.

**Hon Mr Farnan:** —it cannot be fast-tracked and cannot be accelerated, and the federal Liberals must take full responsibility for slowing this project down. The project will be built.

**Mr Steven W. Mahoney (Mississauga West):** On a point of order, Mr Speaker: Perhaps you could refer me to the specific section in the rules that would deal with imputing motives of other members. It seems to me that the honourable member for Nepean as well as all other members of the caucus of the Liberal Party have been fighting for Highway 416 for months to get this government off its duff. For this minister to try to blame the Liberal caucus for his government's inactivity is an absolute disgrace and contrary to parliamentary procedures in this place.

**The Speaker:** The member does not have a point of order.

#### HIGHWAY 407

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Minister of Transportation. It goes back to Highway 407.

When you are prepared to make public the important elements of that contract—and let's be clear; the public should be clear on this. This is the largest single contract ever awarded in the province. The government, when it asked people to bid on it, put a clause in saying that it would not allow anybody who bid on this project to reveal any of the details of the contract. We have a gag order imposed by this government. There is no question of that.

Last week in the House the minister undertook to come forward with the details of that contract. It is a \$1-billion contract that the public has a right to know the details of. Will the minister today tell the House when he is going to table the important elements of that document so the public can understand and look at the details of a \$1-billion contract?

**Hon Mike Farnan (Minister of Transportation):** This is a very simple answer and I hope the member listens very, very carefully. Prior to the development of the request for proposals, both of the consortia that were bidding on the project told us explicitly that they would not bid on the 407 contract if we would not protect the proprietary information.

Why are the Liberals so upset? They're upset because we're building Highway 407 22 years faster than it was originally planned under the Liberals. They are upset because the private consortia are building the highway \$300 million cheaper than if the ministry had built it itself and if the Liberals were still in office. We have a time and a price guarantee on the completion of the project. That's why the Liberals are upset and that is the fact that they will not listen to.

#### PETITIONS

##### KETTLE ISLAND BRIDGE

**Mr Gilles E. Morin (Carleton East):** I have a petition submitted by the residents from Manor Park in Ottawa.

"Whereas the government of Ontario has representation on JACPAT"—which stands for the joint committee on planning and transportation—"for the National Capital Region; and

"Whereas JACPAT has received a consultant's report recommending a new bridge across the Ottawa River at Kettle Island, which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional concerns of Ottawa representing the wishes of citizens in the Ottawa region have passed motions rejecting any new bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island or at any other location within the Ottawa city core."

## DANGEROUS OFFENDERS

**Mr Cameron Jackson (Burlington South):** I have a petition to the Parliament of Ontario.

"Whereas Christopher Higginbottom is a known homosexual paedophile who has been released into the Burlington community even though he was diagnosed by medical experts as remaining highly at risk of reoffending; and

"Whereas Higginbottom was acquitted of another sexual assault involving a child on the basis of inappropriate and unjustified conclusions drawn by the trial judge in relation to the evidence of the victim, all of which are unjustifiable in law; and

"Whereas in rendering the decision to acquit Higginbottom, the facts of his breach of probation and the long history of his past sex attacks on children were not adequately taken into account by the judge;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the Attorney General of Ontario undertake to investigate this case with a view to ensuring that justice is done; that she undertake to amend the provincial Mental Health Act to protect citizens against dangerous, high-risk offenders, and support federal high-risk offender legislation; and that the government of Ontario undertake to trench within law a bill of rights for victims of crime."

This petition from several constituents of mine in Burlington South also has my signature of support.

## FIREARMS SAFETY

**Mr D. James Henderson (Etobicoke-Humber):** To the Legislative Assembly of Ontario:

"Whereas we, the undersigned, strenuously object to the minister of the Solicitor General's decision on the firearms acquisition certificate course and examination; and

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and hunted for years; and

"Whereas we believe that we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly as follows:

"To amend your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

To that petition, signed by a number of my constituents, I add my signature.

## HAEMODIALYSIS

**Mr Jim Wilson (Simcoe West):** "Whereas several patients from the Collingwood area are forced to travel great distances under treacherous road conditions to receive necessary haemodialysis treatments;

"Whereas the government has done nothing to discourage a patchwork dialysis treatment system whereby some patients receive haemodialysis in-home and others travel

long distances for treatment;

"Whereas the current dialysis system is discriminatory because some patients have dialysis machines and are treated in-home while others have to travel long distances to receive care and one local patient is forced to pay for her own nurse;

"Whereas the government continues to insist they are studying the problem, even though they have known about it for two years; and

"Whereas the Legislature passed Simcoe West MPP Jim Wilson's private member's resolution which called for the establishment of dialysis satellites in Alliston and Collingwood;

"We demand the government establish a dialysis satellite immediately in the town of Collingwood."

This joins several thousand previous signatures, and I've also signed this petition.

## SEXUAL ABUSE OF CHILDREN

**Mrs Joan M. Fawcett (Northumberland):** I have a petition with approximately 600 names on it and it's to the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario to help us to protect our children by changing the current maximum penalty of 10 years for sexual interference to a minimum of five years with mandatory counselling and up to and including life imprisonment as a maximum penalty."

I have signed the petition.

## MEMBER FOR ALGOMA

**Mr Bill Murdoch (Grey-Owen Sound):** I have a petition to the Parliament of Ontario. It's not from my riding, but it's been sent to me. It says:

"Whereas MPP Bud Wildman has misrepresented the majority of his constituents in the Algoma riding, denied them access to public information and, as minister of native affairs, has been totally biased concerning the Mississauga number 8 land claim and other ongoing claims in Ontario,

"We, the undersigned, petition the Parliament of Ontario as follows:

"The complete termination of Mr Wildman from the position of MPP."

There are 450 signatures.

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** On a point of order, Mr Speaker: I fully understand that it is within the traditions of parliamentary democracy that citizens can petition the crown and that it is certainly within the rules of this Legislature that petitions can be submitted by any member on behalf of citizens of the province who have a grievance or a concern that needs to be raised.

I would ask you, though, Mr Speaker, to look very carefully at the wording of this petition and what is being requested to determine if it is within the bounds of tradition and the rules of this House. I am concerned that the "whereas" and the request may in fact be beyond the acceptable approach for a petition.



**Mr Robert W. Runciman (Leeds-Grenville):** On the same point of order, Mr Speaker: If you're going to consider the point raised by the minister, I think you should also consider the appropriateness of his intervention. This petition dealt specifically with the minister, and I would ask you also to consider the appropriateness of his intervention.

1510

**Hon Mr Wildman:** With respect, I was raising this as the MPP who was requested to terminate his position.

**The Speaker (Hon David Warner):** First, to the member for Leeds-Grenville, there is certainly nothing out of order with any member of the House raising a concern.

To the member for Algoma, I am very pleased to consider the point which he raises. The member will know that it is only when the petitions arrive at the table that we are able to determine whether or not a petition is in order. I am certainly concerned about the point which he raises and I will look into the matter further.

#### LONG-TERM-CARE REFORM

**Mr James J. Bradley (St Catharines):** This petition is addressed to the members of the Legislative Assembly of Ontario:

"Whereas Bill 173, the long-term-care reform bill, if allowed to pass without necessary and appropriate amendments, will result in a lower level of service to consumers in the province; and

"Whereas the enactment of this legislation in its present form will increase the cost of the provision of care to the elderly and those in medical need; and

"Whereas the passage of Bill 173 will bring about a decrease in the number of volunteers available to organizations now directly involved in providing service in the field of long-term care; and

"Whereas local communities will lose control and influence over the delivery of long-term-care services even though they are best able to determine local needs;

"Be it therefore resolved that the government of Ontario be requested to amend Bill 173 to comply with the recommendations of service organizations who at present deliver home care to people in communities across Ontario."

I'm in agreement with this petition and I affix my signature to it.

#### AUTISM SERVICES

**Mrs Dianne Cunningham (London North):** I have a petition to the Legislative Assembly of Ontario:

"Whereas there is a dearth of therapeutic/educational programs for hundreds of children in the province of Ontario who have autism spectrum disorder;

"Whereas 'Giant Steps Centre' for neuro-integrative disorders will provide the needed treatment and programming for these children and their families;

"Whereas the 'Giant Steps' model has been presented to the triministry committee, the Ministry of Health, the Ministry of Education and Training, the Ministry of Community and Social Services and the Premier's office;

"We, the undersigned, hereby petition the Legislative

Assembly of Ontario for help in bringing this project to fruition so that the needs of these children can be addressed."

Mr Speaker, this petition is signed by over 100 members of this province in the ridings of Quinte, Prince Edward-Lennox-South Hastings, Burlington, Brampton and many areas of Metropolitan Toronto, and I forward it to you with my support and signature.

#### PUBLIC SAFETY

**Mr Joseph Cordiano (Lawrence):** I have a petition signed by 278 of my constituents:

"To the Legislative Assembly of Ontario:

"Whereas the after-hours club Tae's International, located at 2915A Dufferin Street, has been the site of over 20 reported offences, including alcohol, weapons, drugs and homicide, in the last four years; and

"Whereas municipalities, police departments and the Liquor Licence Board of Ontario are currently not equipped to deal with the problems associated with after-hours clubs; and

"Whereas the leader of the official opposition, Lyn McLeod, has called upon Premier Rae and all members of the Legislature to ensure speedy passage of legislation providing the necessary laws to close down after-hours clubs that threaten the safety of residents;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Liquor Licence Board of Ontario revoke the liquor licence granted to Tae's International Restaurant and Nite Club, located at 2915A Dufferin Street; and

"(2) That Premier Bob Rae and all members of the Legislature move to pass legislation which would provide municipalities, police and the LLBO with the necessary authority to ensure that after-hours clubs are not a threat to the safety of residents."

#### DANGEROUS OFFENDERS

**Mrs Joan M. Fawcett (Northumberland):** I have a petition to the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We pledge our support for Justice minister Allan Rock's efforts to establish a national registry to help protect children from convicted child sex abusers."

I've signed the petition.

#### HAEMODIALYSIS

**Mr Jim Wilson (Simcoe West):** A petition addressed to the Legislative Assembly of Ontario:

"Whereas several patients from the town of New Tecumseth are forced to travel great distances under treacherous road conditions to receive necessary haemodialysis treatments in Orillia or Toronto;

"Whereas the government has done nothing to discourage a patchwork dialysis treatment system whereby some patients receive haemodialysis in-home and others travel long distances for treatment;

"Whereas there are currently two dialysis machines serving only two people in New Tecumseth and one patient is forced to pay for her own nurse;

"Whereas the government continues to insist they are studying the problem, even though they have known about it for two years; and

"Whereas the Legislature passed Simcoe West MPP Jim Wilson's private member's resolution which called for the establishment of dialysis satellites in New Tecumseth and Collingwood;

"We demand the government establish a dialysis satellite immediately in the town of New Tecumseth."

The names on this petition are in addition to several thousand that have been presented to this House over the past year, and I've signed this petition.

#### LONG-TERM-CARE REFORM

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas Bill 173, the long-term-care reform bill, if allowed to pass without necessary and appropriate amendments, will result in a lower level of service to consumers in this province;

"Whereas the enactment of this legislation in its present form will increase the cost of provision of care to the elderly and those in medical need;

"Whereas the passage of Bill 173 will bring about a decrease in the number of volunteers available to organizations now directly involved in providing service in the field of long-term care;

"Whereas local communities will lose control and influence over the delivery of long-term-care services even though they are the best ones to determine local needs;

"Be it therefore resolved that the government of Ontario be requested to amend Bill 173 to comply with the recommendations of the service organizations who at present deliver home care to the people across this province."

I too will affix my signature.

#### INTRODUCTION OF BILLS

##### CITY OF HAMILTON ACT, 1994

Mr Abel moved first reading of the following bill:

Bill Pr140, An Act respecting the City of Hamilton.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

##### REGIONAL MUNICIPALITY OF DURHAM

##### STATUTE LAW AMENDMENT ACT, 1994

##### LOI DE 1994 MODIFIANT DES LOIS

##### EN CE QUI CONCERNE

##### LA MUNICIPALITÉ RÉGIONALE DE DURHAM

Mr Wiseman moved first reading of the following bill:

Bill 201, An Act to amend the Regional Municipality of Durham Act, the Municipal Act and the Regional Municipalities Act / Projet de loi 201, Loi modifiant la Loi sur la municipalité régionale de Durham, la Loi sur les municipalités et la Loi sur les municipalités régionales.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

Do you wish to make a brief statement?

**Mr Jim Wiseman (Durham West):** Yes, Mr Speaker. I noticed the emphasis on "brief." This bill is

reintroduced today because of the missing page, the French translation, the other day.

This bill would require that the regional chairman of the municipality of Durham be chosen from the elected council and that the council would have to then find a replacement for him by either going to the person who placed second or to a by-election. I think this is an important amendment to the Regional Municipality of Durham Act, as it's high time the person who is in the position of the regional chair be accountable in some capacity to the electorate, especially given the extent of the powers and the influence that person will have in the region.

I'm hoping this bill will receive speedy passage and that we can see the chair of Durham become an elected position and accountable to the people.

1520

#### ORDERS OF THE DAY

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** Just before I call the orders of the day, perhaps we can straighten out a few items that the House leaders I think have agreed on.

The first order I'll be calling today is the fifth order, which is third reading of Bill 163. I think we have agreement that our side will reserve 15 minutes, 10 at the beginning and five at the end, and that the two opposition parties will split the remainder of the time in that debate.

**The Deputy Speaker (Mr Gilles E. Morin):** Agreed? Agreed.

**Hon Mr Charlton:** Secondly, when we finish the debate and the vote on the fifth order, I would like to—and I think I have agreement from the opposition—call orders 82 through 93 concurrently. These are the concurrences. We've had the practice on some occasions in the past where we've agreed to deal with all of these orders concurrently so that members opposite can speak to any of the concurrences they wish to speak to during the time we pursue that debate, rather than dealing with one and then voting and dealing with another and then voting. I think we have agreement to deal with all of those orders 82 through 93 concurrently, with all votes at the end.

##### PLANNING AND MUNICIPAL STATUTE LAW AMENDMENT ACT, 1994

##### LOI DE 1994 MODIFIANT DES LOIS

##### EN CE QUI CONCERNE L'AMÉNAGEMENT DU TERRITOIRE ET DES MUNICIPALITÉS

Mr Hayes, on behalf of Mr Philip, moved third reading of the following bill:

Bill 163, An Act to revise the Ontario Planning and Development Act and the Municipal Conflict of Interest Act, to amend the Planning Act and the Municipal Act and to amend other statutes related to planning and municipal matters / Projet de loi 163, Loi révisant la Loi sur la planification et l'aménagement du territoire de l'Ontario, la Loi sur les conflits d'intérêts municipaux, et modifiant la Loi sur l'aménagement du territoire et la Loi sur les municipalités et modifiant d'autres lois touchant des questions relatives à l'aménagement et aux municipalités.



**The Deputy Speaker (Mr Gilles E. Morin):** The member for Essex South, on behalf of Mr Philip, has moved third reading.

**Mr Pat Hayes (Essex-Kent):** First of all, it's the member for Essex-Kent, just for the record.

**The Deputy Speaker:** The member for Essex-Kent; I apologize. The member for Essex-Kent has moved third reading of Bill 163.

Before we start the debate, I'd like to bring forward an agreement that one hour be allotted to the third reading stage of the bill. At the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment.

**Mr Hayes:** I rise to present for third reading Bill 163, our planning reform package. Bill 163 was good legislation when the minister introduced it on May 18 this year, but the amended legislation before you today is even better and it is urgently needed.

The legislation has four key points: giving municipalities more control over local land use matters, improving the openness of local government, strengthening environmental protection and cutting red tape in the planning process.

The public, the development industry and Ontario municipalities have all told the province that the planning process, municipally and provincially, must be made faster and more efficient, and that is what this bill is doing. The current system is cumbersome and complicated, and development decisions take far too long. These delays amount to millions of dollars of lost economic activity and potential employment.

One of the problems, I know through my own experience in municipal politics—and I'm sure other members in this Legislature can certainly recall, when they were there, some of the problems they themselves had in getting amendments to official plans or trying to get a piece of property rezoned for development and the frustrations they went through for so long and all of the different ministries they had to deal with. This piece of legislation is certainly going to address that particular concern and it's going to eliminate a lot of duplications. Also, if there are some ministries that are not affected, it won't be necessary for them to be involved. It will be streamlined because it will be going through Municipal Affairs and Municipal Affairs, will be certainly speeding the process up.

In order to cut the red tape and get decisions made faster, the legislation stipulates that municipal and provincial decision-makers make decisions within specified time frames. In the subdivision process, for example, there currently is no limit to the amount of time an applicant can be caught up in the planning system. Under the proposed system, municipalities or other approval authorities will have, on a subdivision application, for example, six months at most to make their decision. After that, the matter may be appealed directly to the Ontario Municipal Board for a hearing.

In terms of local control, we feel very strongly that local communities should control that local development

process. This is particularly important in the rural communities such as those in my riding or in areas like the north.

What we have done in Bill 163 is to assign specific roles and responsibilities to the province and the municipalities. The provincial government will set broad policy direction, but within these policies municipalities will be given greater leeway to make decisions on local development applications. Over and above that, the ministries certainly have to be consistent also. The various ministries have their responsibility for good, sound planning.

However, with this greater responsibility and flexibility, it is essential that local accountability be strengthened. Our open local government reforms will ensure that new municipal planning powers are exercised in an open and an accountable manner through legislative changes regarding open meetings, conflict of interest and disposal of property. Our goal is to increase the confidence of local residents in the integrity of their local government.

In addition to inefficiencies and lack of trust in Ontario's current planning system, there is also fear that it simply does not have the teeth to protect the environment. Activities such as land clearing, drainage, dredging and filling continue to place pressure on wetlands and other natural features.

I am pleased to say that environmentally sound development will be promoted through the planning reforms that we are proposing. In addition to some specific amendments, provincial environmental priorities will be met through the comprehensive policy statements released as part of the package. The statements have been approved by the provincial cabinet and will come into effect when the legislative amendments are proclaimed.

The policy statements set out where development should and should not be permitted in such areas as woodlands, valley corridors, habitat areas and wetlands. They also cover economic development, housing, conservation and aggregate policies. I don't think there are many areas of concern where there are such fiercely competing interests as there are in land use planning. However, I believe our government has achieved a broad consensus on how to move.

The legislation has the support of municipalities, environmental groups and many interests in the building and development industry. I won't review all of the statements in favour of the bill, but let me draw the attention of the House to one statement released by the Association of Municipalities of Ontario on September 27, following the release of our amendments. Mr Bill Mickle, president of AMO, had this to say: "The planning amendments to Bill 163 introduced by the government today demonstrate that the province is listening to the concerns of AMO and the municipalities."

I give much weight to what Mr Mickle has to say about this bill. Not only is he president of the Association of Municipalities of Ontario, but he is a respected local politician in his own right.

1530

Just last Saturday, I spoke to the annual meeting of the

Federation of Ontario Cottagers' Associations. They have welcomed Bill 163 and are very pleased that all four of their recommendations are now reflected in the amendments we have made. As a matter of fact, they made four amendments and were very pleased when at one point they heard that we had accepted and passed three out of the four, and they were further pleased that we had done all four. We carried all four of their amendments.

On behalf of the minister and myself, I would like to thank members of this House, from all three parties, who participated in the justice committee hearings on Bill 163. Although we could not agree on everything, there was a consensus among the members on the direction of the legislation. The final amendments to the bill reflect the concerns of all members of the House. Bill 163 will move planning in Ontario forward to the 21st century.

I was very pleased with the amount of input we had, clear across this province, and the number of presentations that were made by individuals. If you want to talk about an open forum dealing with a piece of government legislation, I'm not sure if I know of any other piece of legislation that had input from the public and the opposition as we have had on this particular bill.

I'd just like to reiterate and thank everyone who was involved, including the staff from the minister's office and the staff from the Ministry of Municipal Affairs, for their input.

I urge the House to pass this much-needed piece of legislation that will certainly streamline the planning process in Ontario and bring more open, public input into the planning process in the province.

*Interjection.*

**Mr Hayes:** There will be lots of input for the members also. I hope we can hear from the member across the floor.

I urge that this piece of legislation be passed this evening.

**Mr Ron Eddy (Brant-Haldimand):** I am very pleased to have the opportunity to speak to this bill, but unfortunately, it's very limited time, 22½ minutes. Many of our members wish to speak to this important bill, but we're limited to three and that's most unfortunate.

Over three years and \$3 million after the appointment of the Sewell commission to review Ontario's Planning Act, hold hearings across the province and recommend changes that would simplify and expedite the planning process in Ontario, what did we get? Well, we have Bill 163, which is an omnibus bill with a very long title and which contains a number of very important separate matters, so many so that deputations appearing before the committee didn't have the time to speak to all of the important issues; they could only speak to one or two that they selected out of the long list.

We also have a bill that the Sewell commission doesn't want any part of and was in great disagreement that it would do what the government has said. The government's claim, of course, was to expedite the planning process and to simplify it, and it certainly doesn't do that.

We have another time-allocated bill. Closure has been called on the bill. I think it's mainly to prevent opposi-

tion members from speaking to the government's bill and to over 200 amendments, many of which were presented by the government. Many of the opposition amendments are very important and would have expedited the planning process, but of course we didn't have the opportunity to deal with them.

The government said it saw the light by bringing in the changes it did, but it certainly didn't see a bright enough light to make the planning process less costly and less cumbersome. This bill is too important, too complex and too contentious for the government to have called closure on it. I certainly regret that and we're very upset about that.

This bill imposes a planning process on municipal councils and taxpayers which will be more time-consuming and more costly because it requires that official plans of municipalities be consistent with provincial policies, a never-ending list of provincial policies. There are several at the present time. Of course, the big problem with the provincial policies is simply that they weren't before the committee for review or debate and they weren't reviewed by the people and municipalities that will have to deal with them.

We asked for this time after time: "Let us include the policies as part of the bill to be reviewed and debated," because that's really the crux of the whole bill, the policies that municipal governments will have to follow. So I certainly disagree with the government's contention on this issue that municipalities are going to be given far more responsibility in the planning process. Many municipalities will tell you it's completely the opposite, and especially in rural Ontario.

We have a bill here that's going to impose a two-tier system on many municipalities in this province that have had one-tier planning processes for years and years, for decades, and been very successful. The two-tier system will create conflict, it'll be more costly and it'll be time-delaying.

We had an excellent example given to us by the mayor of Scarborough, who advised of a situation in which a planning application had been processed and approved by the city of Scarborough council and in which the Metropolitan Toronto planning department had participated all along, but at the final approval of the bill the commissioner of planning for Metropolitan Toronto demanded some changes. The mayor said it was only through representations to Metro council that they were able to get Metropolitan Toronto's approval. I think we'll see more of that, and that is most unfortunate.

It's true that the single-tier municipalities in Ontario will continue with single-tier planning, and that's wonderful because it's a better system. I would never impose a two-tier system of planning on any two-tier system of government. If they wish it, fine, but I would not impose it. Municipalities have other ways, of course, of including their requirements in an official plan. That's very easily done and that should be followed rather than imposing a two-tier system.

The bill will force those upper-tier municipalities that have policy official plans to change and to develop much more costly land use official plans. This is the case in the



region of Waterloo and many of the counties that have proceeded with policy official plans. They're less contentious, their requirements are incorporated into the local plans and it's a far better system, in my opinion. So let's give the municipalities some rights.

The bill also expropriates the property rights of many property owners, so much so that a new organization called the Ontario Property and Environmental Rights Alliance has been formed, which had 70,000 members as of November 1 of this year, simply to oppose some of the impositions and requirements of this bill. They're very upset and I think they're going to be a force to be reckoned with.

1540

The other important aspect of the bill concerns farmers. The Ontario Federation of Agriculture has advised us that it disagrees very much with the amendment of the government wherein municipalities over 10,000 can now enact bylaws regulating the cutting of trees. We already have a Trees Act and any upper-tier municipality can pass a bylaw controlling the destruction and cutting of trees, but under that system there is a hearing process, an application and a hearing process, and people feel they have the opportunity to state their case, as well as objectors. I think it was a far better way to go.

The opposition tried to change the population figure from 10,000 to 20,000 to let more municipalities out of it, but the government stood firm with 10,000, and that's unfortunate. I don't think the government really realizes that there are farms and farmers in municipalities in Ontario with greater than 10,000 population, but as we know, there are farmers even in the city of London, now that 65,000 additional acres, much of which is prime farm land, has been added to the city of London, but of course maybe it won't be farmed for that long.

We're very concerned about the bill. It should have had much more time for debate. It should have had more time for those who wanted to contribute to do so, to improve the bill. Municipalities I think are going to be saddled with tremendous additional costs and delays, in my opinion, and it's unfortunate that this has happened and that the government has said closure.

Another bill we've got closure on: Why? We had months we could have been here debating. I think we should still have the opportunity to, and especially we should have the opportunity, the citizens and taxpayers and the municipal councils should have the opportunity, to review the policies that are being imposed on the municipal councils in the province of Ontario.

Thank you for this opportunity. There are two other members of my caucus who are going to speak to this issue.

**Mr Allan K. McLean (Simcoe East):** I welcome the opportunity to comment briefly on another seriously flawed piece of legislation brought forward by this government, and another closure motion, somebody at the start of this process said by unanimous consent. I don't think they had unanimous consent from us to proceed with this bill today. It's a directive from the government.

We're here today because the Minister of Municipal

Affairs has been directed by the Premier to push through, at any cost, Bill 163, the Planning and Municipal Statute Law Amendment Act, which is based on the final recommendations of the Sewell Commission on Planning and Development Reform in Ontario.

I really can't disagree with the view that some of Ontario's somewhat outdated legislation is in need of an overhaul. I think we all agree with that. We all agree that the province must restore confidence in the integrity of the planning process. We want to make the system more efficient. We want to protect the environment. We want to reduce the red tape and clearly define municipal and provincial powers.

How does the minister try to accomplish these goals? He brings us a massive, complex bill that really should have been split into three separate pieces of legislation. It is a bill which was in serious need of amending from day one. I spoke and voted against this legislation on second reading because the impact of 163 is difficult to measure due to the sheer complexity of the reforms.

The minister simply cannot deny that most of those appearing before the standing committee on administration of justice reflected the views presented by the Association of Municipalities of Ontario. That organization initially welcomed reforms to Ontario's planning, local government disclosure of interest and municipal acts. However, AMO representatives told us Bill 163 contains some fundamental flaws and will not lead to any significant improvements. AMO also indicated that while the legislative amendments contained in Bill 163 are a step in the right direction, they fall significantly short of fulfilling the principles of reform.

Even the minister must agree Bill 163 is seriously flawed, so flawed in fact that he brought forward over half of the more than 200 amendments introduced in the justice committee hearings. I regret the minister's urgent need to rush Bill 163 through this Legislature. It clearly shows he has little regard for the views and concerns of Ontario's municipalities. We spent five weeks travelling this province listening to the views of municipalities and of people. After those amendments were brought in, there was not a view that they got from the people we had talked about, unless they got it over the phone.

You know, I don't understand: Why can't the minister and his government recognize the fact that more than 200 amendments proves this legislation is beyond comprehension? Bill 163 includes provincial policies that still continue to contain too much detail and go far beyond areas of provincial interest.

My party has been highly critical of the legislation because the requirement that all municipalities create an official plan in accordance with the province's new principles is a form of top-down development which ignores local concerns.

As well, the planning reform would add further downloading burdens. Not only will new official plans have to be created in some areas where there are no plans, but municipalities will be required to do more technical studies and get more information from bureaucrats. Today that process is painfully slow, and in future it will be even slower.

The average cost to do an official plan in Ontario is approximately \$80,000. Over 600 municipalities are going to need a new official plan within the next five years. Can you estimate what that cost will be? Probably close to some \$9 billion in this province. The Ontario Property and Environmental Rights Alliance has called Bill 163 the "billion-dollar boondoggle."

OPERA says this government has manipulated the rules of practice of this province to block the public from coming to an understanding of the far-reaching and crushing effects Bill 163 will have on lifestyles outside the major cities in this province.

The government has avoided all discussion of the cost of Bill 163 and what that will inflict on the residents and taxpayers of rural Ontario. The entire cost of Bill 163 is expected to amount to more than \$9 billion, as I said, over the next five years. That cost will rest solidly on the shoulders of the residents and taxpayers of this province.

It's another unwarranted and unacceptable money grab. The public wants all levels of government to reduce spending and cut waste, and then the government turns around and inflicts billions of dollars of cost directly on to the backs of the people of Ontario, the residents of this province.

Communities in rural Ontario are also concerned about the legislation's land severance provisions and the principle that first-class farm land should be preserved. Much emphasis has been put on environmental considerations. The NDP government's original aim of encouraging economic growth and jobs has been shunted to one side.

Some elements of Bill 163, such as streamlining the planning and development process, are laudable goals. The Common Sense Revolution has made the elimination of red tape a major factor and it will be a priority when we come to government.

The minister has denied that his requirement that members of municipal councils, school boards, public utility commissions and police villages file, within 60 days of being elected or appointed, a detailed financial information statement containing a disclosure of assets, liabilities, sources of income and financial interests of the individual, the individual's spouse and minor children, as well as companies controlled by any of them, is onerous.

So much for the integrity bill. We thought it would have been introduced and we would have done away with part of this legislation, the conflict disclosure act, whereby their disclosure would have been the same as members of this Legislature. We see that's not going to happen. I would have thought they would have withdrawn this part of the legislation that has to do with disclosure and brought in the integrity bill, which would have taken its place. More people in this province would have been satisfied with that.

We were talking about the Manitoba model at one time and we had presentations to us with regard to that model which indicated that your conflict would be put in an envelope and it would be put on file and it would only be seen when somebody complained. That was not acceptable either, but I thought this government would have seen fit to withdraw this part of the legislation with the

conflict and bring in the integrity bill. That's what we wanted.

The minister claims he's not bringing the whip down harder on elected municipal officials than on members elected to the provincial Legislature, but I beg to differ, because the minister fails to recognize that most of the elected municipal officials work only part-time. If this is a double standard, then I'd like the minister to try to justify this policy and explain the thinking behind the process that has led to its creation.

1550

Although the PC party supports the idea of more open government, there are still several questions about the proposed disclosure-of-interest commissioner. We do not know how much power this commissioner will have and there are no details about the size of the staff. We have no details about how many offices will be opened across this province. We have no details of anything within this legislation of what this Conflict of Interest Commissioner's office is going to have.

The emphasis on environmental principles is another concern. There's no cost-benefit analysis that has been done on the potential extra costs the reforms would have on private sector development. The move to intensification is a made-in-Toronto approach to development which limits housing choices for consumers, and communities outside the GTA have different priorities. There's nothing here that they talk about in this bill with regard to major issues in northern Ontario. Northern Ontario is so much different from the rest of this province. When you get into the Atikokan, the Fort Frances, Kenora, Rainy River areas which relate to Winnipeg and the time zone that changes, we know there is a difference, and the people in the north were telling my colleague Bill Murdoch and me this past summer when we toured the north of the concerns they have which are not addressed within this bill.

I want to go back to the intensification, and it is also expensive and hard to implement through the planning process for private developers. There is no strategy for job creation linked to the land development reforms. There is no rationalization that has taken place to sort out the dual approval system created by the Planning Act and the Environmental Assessment Act.

When the Minister of Municipal Affairs first introduced Bill 163, and throughout second reading debate, he was fond of saying organizations like AMO—Association of Municipalities of Ontario—were on side and completely supportive of Bill 163.

The parliamentary assistant said that Bill Mickle is really supportive of Bill 163. Well, I think that Bill Mickle, once he has a look at all these amendments that have been brought in, almost 100 amendments that had no debate, that were deemed to have been passed because of this time allocation motion, will have another view of this bill once it's been finalized.

I wonder what the minister has to say now that the AMO representatives have appeared before the standing committee on administration of justice to express their concerns about Bill 163. The minister should give serious



consideration to what AMO has to say about his policies, programs and legislation because that non-profit organization has a membership of about 700 of Ontario's 817 municipal governments, representing over 95% of the province's population.

Today I got a resolution from the township of Springwater with regard to a part of the bill that has to do with the piped water in rural municipalities, and they have some serious concerns that they wanted to bring to my attention and here we are today on closure with this bill. That municipality will have no say. I have no say other than to put on the record what my constituents have been telling me about this bill.

On September 13, AMO officials appeared before the standing committee on administration of justice to say:

"AMO initially welcomed the introduction of the government's planning reform package, because the association and its members believed that improvements to Ontario's planning system are badly needed and it is in everyone's interests that the process move forward. However, the association believes that Bill 163 contains some fundamental flaws and will not lead to the improvements to Ontario's planning system that municipalities and many other interests have been seeking.

"AMO's assessment is that while the legislative amendments contained in Bill 163 are a step in the right direction, they fall significantly short of fulfilling the principles for reform—that is, greater municipal empowerment and a streamlined planning process with the integration of social, economic and environmental policies."

That last statement is exactly what AMO thought that they were going to get with this Bill 163: "greater municipal empowerment and a streamlined planning process with the integration of social, economic and environmental policies." That was what AMO thought they were getting.

While I'm on the subject of committee meetings, the NDP majority on the standing committee on administration of justice, most likely at the minister's direction, simply choked off debate by invoking closure of the clause-by-clause review of the planning reform bill, 163.

Bill 163 is seriously flawed and we couldn't even discuss half of the amendments in committee before the government invoked closure. Bill 163, the so-called Sewell bill, is under heavy fire from this Legislature and across the province for its centralizing thrust which could rob local municipalities of input on planning issues. It also imposes overly strict disclosure-of-interest regulations on candidates seeking office with municipal councils, school boards and public utilities.

We had alternatives for that. We had the Manitoba model, which many wardens and municipal people said they wanted to be part of. We have our conflict commissioner of the province of Ontario, who wanted to have an integrity bill introduced, and we wanted that bill to be part of this, whereby all municipal people would have to fill out the same forms that we do as members of this Legislature. That is not part of this bill.

I regret the urgency with which the minister and his

government are rushing Bill 163 through this Legislature. It clearly shows that this government, on its closure motions—some 18 to 19 of them so far in this mandate; totally unheard of in the province of Ontario ever in its history—gives us little chance to bring the views of our constituents.

Since all those amendments were brought in and put in place, we had five weeks of hearings before. What have we had since all of those amendments have been brought in? The parliamentary assistant says they agreed that three out of four of the environmental groups—well, that's one group that may be partially happy until it sees the final results of this bill.

I see that the bill says that all the provisions are going to be renumbered. There are provisions in this bill for the Ontario Planning and Development Act, part I; part II is the Local Government Disclosure of Interest Act; part III is the Planning Act, and we go on and on in 113 pages to this bill, and they call these amendments. It's an amendment bill, and I can tell you that there'll be many businesses in the province of Ontario, many people who want to proceed with enlarging the towns and cities and the environment which we live in.

During the public hearings, when we were talking about the planning and development that's going to take place, I asked on more than one occasion: "What have we planned for roads around these major centres in Oshawa and Durham with regard to all the subdivisions that they're going to proceed with? What planning has been done with regard to the expansion of roads for the traffic?" Not a lot. There's not been much.

**Mr Jim Wiseman (Durham West):** That's all going to be in the official plan.

**Mr McLean:** Mr Wiseman says it's all going to be in the plan. You see, that's the problem we have. There's nothing really in that plan.

So, I regret this closure motion brought forward. It's another aspect of this government, bringing about 18 or 19 closure motions in, and our party will have another five minutes for debate on a major issue.

**Mr Alvin Curling (Scarborough North):** I too appreciate the opportunity to speak on the third reading of this omnibus Bill 163. As you can see, we have about 13 minutes to share with two of my colleagues and so many things to be said, as my colleague the member for Brant-Haldimand had stated too. Such a knowledgeable individual can contribute so much to making this bill more effective.

I'm just going to get straight to the point because there are some points I want to make about this bill. There were over 240 amendments to this incomplete bill, the bill that was badly—I wouldn't say badly drafted but that completely missed the point of even what Mr Sewell had put forward.

1600

One of the things they were extremely concerned about is that even the MNR had taken upon itself, I presume at the direction of this government, to invade property owners and designate areas as wetlands, really expropriating private properties without any consultation, although

the parliamentary assistant may indicate that there were consultations, but just walking in and designating these areas as wetlands.

These properties, as you know, represent life investments. So much for democracy for this New Democratic Party who, in a democratic way, should have gone about making sure that people's properties are protected. But, no, in this expropriative manner, they have just completely violated any manner of decency in acquiring these lands.

AMO is really not amused about having the opportunity to represent and to make its presentation and to make its recommendations before the parliamentary assistant and before the committee. They had over 100 amendments, which of course were never debated, being denied by this closure act, this kind of draconian act by this government, which is trying to ram this legislation through as fast as possible, which is just atrocious.

As you know, there were concerns. First, when we speak of AMO, for many of our people out in the province, it represents over 600 municipalities out of, I think, 817 municipalities in this province. And to do that, to ignore AMO, a substantive representative of the municipalities, to ignore its recommendations is to tell you how democratic this government can get.

The Canadian Bar Association had indicated of course that there were many inconsistencies in the legislation, especially in the environmental areas. I would say to the parliamentary assistant, when he speaks to his minister, if he should ever listen, that these are concerns that should be taken seriously. Bill 163, they indicate, is a top-down kind of policy that is not very helpful. The thing that you wanted to achieve under 163 is working in reverse in that respect. To talk about cooperation from the municipalities and to bring them into the fold is not happening.

Talking about streamlining, we know that it did not streamline. We know that it's so policy-driven, how can it be streamlined in any way?

Committee of adjustment: They are extremely concerned about how that process works. I don't even want to mention minor variances. You should see the confusion on the part of the government when we start to deal with minor variances. Up to now, they have not come up with a definition of what "minor variance" is all about.

If you see such a large bill like this being rammed through at a time like this, with closure, without any debate—because one of the most important things about having something debated and having amendments to any act is for the understanding, for the population to know about this. But what this government wants to make sure it does is that the people do not understand the legislation, so people more or less behave in this darkness of not understanding what this 163 is about.

The thing that is so ironic is that the parliamentary assistant was trying his best to present a very awkward bill, an awful, ill-devised bill, all through it keeping a straight face, although being such a decent and honest man. In the end, I think his credibility will be hampered

by the fact that this legislation is awkward, it is top-down-driven in the sense of no cooperation, ignoring AMO, ignoring some of the suggestions made by the Canadian Bar Association. With that, I tell you, you will have more headaches down the road trying to legislate something that is terribly, terribly driven and terribly drafted in any way for any understanding of this.

I'm going to leave some time for my colleague, who will speak in a moment. I would say to you: Get some sense in this, and yes, you have an opportunity to pull back this legislation just now. I've got to tell you how democratic you would be as a government. But I don't have any hope in that government anyhow.

**Mr Chris Stockwell (Etobicoke West):** It's five minutes, I think, I'm left with to debate what is probably one of the more important planning process bills that have been brought down by this government.

Firstly, let me say that the idea of this bill in its original intent was to in fact simplify, modify and ultimately speed up the planning process within the province of Ontario. I'm not really sure and I've not heard it addressed how this government feels this particular bill is going to in fact speed up or modify a process that is antiquated and cumbersome at the very least and make it any more efficient or in fact quicker so that people may process themselves through, not piling huge costs on top of development applications. This just doesn't do it any more. I'm not sure it ever did, but they as a government certainly lost sight of the original mandate of this piece of legislation, the original intent, which was to modify the planning process outside the boundaries of Metropolitan Toronto and create a system that will allow quicker and more timely decisions made on government's behalf so costs are not added on to developments and so on.

Minor variance is going to be a tough thing to define. I heard previous speakers speak about it. Minor variance can mean a whole bunch of different things to a whole bunch of different people. I know in municipalities around this province, what one municipality considers a minor variance another doesn't and vice versa. They still have not defined minor variance. I know if you come from the municipal field, that is a very key component of this kind of legislation. It's very difficult for councils to deal with or work on a determination of what this government deems to be a minor variance and what communities at large feel are minor variances, and I don't necessarily believe that is the proper approach to take.

They are also creating a type of regional council right across this province, and I think that's probably a step backwards. If there's something I would offer this government as an effect of direct elections at the Metropolitan Toronto level, it is that regional governments aren't working. They are removed from the people, and local councils and regional governments appear to be in conflict, at least in Metro, on an ongoing basis, so much so that the city of Toronto put on a referendum that asked them to abolish the regional government. This kind of thing sets those things in place, and I think they haven't really solved the dilemma in Metro but they're moving on using that as some kind of template on how municipal government should work.



That is really, really the wrong way to go, in my opinion. Frankly, I think if anything was being said at the last municipal elections, it is, governments need to be smaller, they need to be more understandable and they need to be far more timely when dealing with people's applications and constituents they're serving. This kind of legislation I don't think does that. It doesn't downsize government at the municipal level. It makes it more complex, and it doesn't really modify the process so that planning can become a process that can be reacted to quickly so that opportunities are not lost to municipalities around this province.

The mention was made of Durham. Durham's a good example; one of the few municipalities around here that is actually doing a bunch of business. Now Durham is doing some business, but they're going to find with this piece of legislation there could be a bogging-down process taking place.

Environmentally, it's going to cost tons of time and money when it comes to development on an environmental side of things. Maybe that's not all bad, but I guess the thing that needs to be addressed is, we must address environmental issues. There's no doubt about it; everyone agrees with it, but it has to be more timely. You can't spend the length of time that we've spent on environmental issues when it comes to development, because they make the developments obsolete or they drive the costs up so high those they were earmarked for in the development stage are long since lost because the costs have incurred because of the time it takes in the environmental process.

Finally, there seems to be an intent on this government's part. They talk about intensification. They talk about the planning process. What it comes down to is, no matter what takes place in this province with respect to planning, no matter what happens in this province, you must have the private sector on side. Why? Because the private sector will never develop anything if it isn't marketable.

What's happening is that we have a plan written by bureaucrats supported by socialists who don't take into interest the private sector needs out there, and the private sector needs are clear. You can talk about cooperative housing, you can talk about intensification, but if there's not a private sector input into that and it's not a marketable product at the end of the day, it won't get built. You can write 15 official plans, you can write 25 official plans, but if the official plan is out of touch with what the market-driven sector is looking for, you just end up with a piece of paper and no development. If you're looking for good, solid, well-planned, reasoned development, you must buy in those people who are putting up millions and millions of their dollars and ensure that you make the system fair and reasonable and not too lengthy so they can have fair return on the investment they make when they're making these developments happen in the jurisdictions around this province.

1610

I'm not the person who should be talking. Maybe some of the rural members—this is a city of Toronto initiative foisted upon rural Ontario. I will say that this government

is going to have some very serious problems in rural Ontario—

**The Acting Speaker (Mr Noble Villeneuve):** Thank you. The honourable member, your time has elapsed.

**Mr Stockwell:** —and other regions because this kind of attitude is typical—

**The Acting Speaker:** Order. The honourable member's time has elapsed.

**Mr Stockwell:** Can I seek unanimous consent for five more minutes?

**The Acting Speaker:** Do we have unanimous consent for five more minutes? No.

**Mr Stockwell:** Mr Speaker, I would ask you, as Speaker of this House—

*Interjections.*

**The Acting Speaker:** Order. We are on time constraints. Order.

**Mr Stockwell:** I know we're on time constraints.

**The Acting Speaker:** Order. Would the honourable member please resume his seat.

**Mr Stockwell:** I'm the critic of this bill.

**The Acting Speaker:** Would the honourable member—

*Interjections.*

**Mr Stockwell:** Looking at this bill, it's a travesty. Time after time—

**The Acting Speaker:** Order. Order, please. Would the honourable member please resume his seat. Order.

**Mr Stockwell:** It's shameful on your party. You people are supposed to be the people who protected the planning process.

**The Acting Speaker:** Please, to the member for Etobicoke West, order.

**Mr Stockwell:** An NDP socialist who sits there and says no—

*Interjections.*

**The Acting Speaker:** Order. Order.

**Mr Stockwell:** You ought to be ashamed of yourselves. You took more bloody time—

*Interjections.*

**Mr Anthony Perruzza (Downsview):** No respect for the House.

**Mr Stockwell:** You should be ashamed of yourselves.

*Interjections.*

**The Acting Speaker:** I want to remind all members that we must have respect for the Chair. Order.

**Mr Stockwell:** You should be ashamed of yourself. You're not a socialist.

*Interjections.*

**Mr Stockwell:** You are not. You're a socialist when it's convenient, Marilyn, as long as you're cashing cheques. You're not a socialist any more. It's true. Five minutes on a piece of legislation to change the whole planning process. A bloody—

**The Acting Speaker:** Order. Order. I want to remind the honourable member for Etobicoke West that outbursts

such as we've just had are not conducive to conducting business. Please. We will now resume the debate.

**Mr Sean G. Conway (Renfrew North):** I want to take a few moments today to express widespread concerns in my county, which is a large and rural county in eastern Ontario. I want to say that I, unlike other members, did not sit through the hearings process on Bill 163. I think, like all members, I recognized that it has been over a decade since we had any kind of significant renovation of the Planning Act, and I think the government is to be commended for trying to deal with a number of the pressures that have been building up over the past 10 or 15 years.

Having said that, and I recognize as well that the bill is not all bad, I think there are very significant difficulties in this legislation. And while I don't profess to know the matters at hand as well as the member for Etobicoke West, who, like others who served on local governments, and I have not—

**Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs):** You have been here since age 18.

**Mr Conway:** Well, the member for Etobicoke West, like my colleagues—certainly the member for Brant-Haldimand—brings a long and considerable experience around these issues, and I don't profess to have that. But I want to tell you that I represent a county of 36 municipalities, a large rural community in eastern Ontario. On behalf of most of my constituents, I want to raise very real objections to key elements of this policy.

The member for Etobicoke West is right when he says this is on a fast track and this Legislature is entertaining today sweeping changes that are going to affect a whole host of very important issues that touch people and we are going to, with this legislation, reorder key relationships in the community.

I want to say, on the basis of what I'm hearing from farmers and municipally elected people in the county of Renfrew, this bill is in significant respects a Trojan Horse pregnant with much trouble and considerable deception. I am deeply concerned that a new administration in 18 months' time is going to be confronted with the fact that people at the municipal and local levels are going to begin to feel and understand how this bill in fact produced a bill of goods very different from that which was advertised.

There is absolutely no question that in my county of Renfrew, a big, rural county, this bill is going to give to my municipalities more control over a much narrower band of less important issues. That is clear. When this bill is enacted, as it apparently will be, and all of the planning processes in my country, as elsewhere in the province, are going to have to be fully consistent with seven provincial policy statements touching on enormously sensitive and controversial questions like a wetlands policy and an agricultural lands policy, to name but two, and an aggregates policy, have you any idea what that is—

**Hon Mr Pouliot:** He doesn't want local input. He wants everything to be run from Queen's Park.

**Mr Conway:** I am here, I say, conveying the local input of Renfrew, where my county administration, almost all of my reeves, have said, "Will you please stand in your place and slow this train down, and if there are not significant changes, as there have not been, will you please vote against this bill because, in key respects, this bill is going to visit a great deal of hardship on the working men and women of Renfrew county?"

How, you might say, will that happen? Let me be clear in one respect alone: This bill, when implemented, is going to almost certainly freeze a vast amount of the rural development in Renfrew. That will immediately have, in areas like west Renfrew, the effect of driving up the cost of housing to working men and women who live on farms and work in sawmills and who do not have the kind of income that members of the Legislature and assistant deputy ministers in the ministries of Housing and Municipal Affairs would take as theirs.

I say again, I do not want to be going to Hagarty and Richards or Westmeath townships in a few months' or a few years' time and saying to these people—

**Hon Mr Pouliot:** Where?

**Mr Conway:** These are the rural townships where young couples now can go and, under certain conditions—maybe they need to be tightened. I'm not saying the status quo is perfect, but this policy is effectively going to freeze rural development and that is going to mean housing prices are going to go through the roof.

**Mr Wiseman:** That's not true.

**Mr Conway:** My friends opposite say no. I can tell you that the county administration, the planning department in Renfrew and others in the area have read this bill, have listened to the hearings, and that's their conclusion.

Another area that gives great cause for concern has been touched on by other speakers like the member for Brant-Haldimand, the member for Scarborough North and my Conservative friend from Etobicoke. Remember what we advertised. We said when this began that we were going to give more power to the municipalities. That is transparently not true and it won't be very long before the community figures that out. The municipal leadership and municipal administrations in Renfrew and Brant and everywhere else, I believe, have now figured it out, but the voting public has not yet perhaps understood it. It won't be long. But to give to provincial bureaucrats the kind of administrative and regulatory control they will have as a result of these seven new planning principles—  
1620

**Mr Eddy:** They're the police now.

**Mr Conway:** They are the police people, without a doubt. And to say to municipalities that they're not going to be able to plan anything locally unless what it is they propose is going to be fully consistent with what will be, I'm sure, the shifting sands of these seven policy statements, boy, I suspect it'll be a very moving target.

I know my friends opposite have heard what people like my colleague from Nepean and I have been hearing in eastern Ontario about the wetlands policy as it is now, before this bill is even enacted. We are moving against



property rights of people who are not particularly happy to have in this day and age that kind of intrusive government, particularly when we've advertised something else.

I vote against this bill, I say again, because despite government propaganda, Bill 163 is a Trojan Horse pregnant with much difficulty and great deception.

**The Acting Speaker:** Thank you. This completes the time allocation. The honourable parliamentary assistant.

**Mr Hayes:** I sure did enjoy all those great comments that I heard here today. I just want to touch on a few points that were raised here today, especially by the member for Brant-Haldimand, whom I have a lot of respect for because he does understand municipal government, and I know that he supported us pretty well all through the process.

I just want to say to the House, though, that he made a statement here today that Sewell disagrees. Well, that is not really factual, because I think Sewell was quite pleased with the bill. Of course, like any other bill, we can't all be totally satisfied and we can't have everything that we want. That's all part of life. But Sewell does support this piece of legislation.

We also talked about the property rights. If you listen to some people, they would have us believe that we should not put any kind of legislation in, that we should certainly allow people to do whatever they feel like doing no matter how much they desecrate the land.

The member for Simcoe East talked about how complex the bill is. Well, the bill can be very complex and there are the three sections: planning reform, of course; the open local government; and also the disclosure of interest. In order to have good, sound planning, you'll have to have all of those three—the planning, the open local government, and disclosure of interest—because they certainly all complement one another. When we do planning in this province, it has to be in the open.

The other issue that was raised here today about the disclosure of interest—

**Mr Stockwell:** When was it not in the open? Tell me.

**Mr Hayes:** You know, if you listen to the opposition, Mr Speaker, they would have us believe, which they tried to get us to believe, that there would be nobody running in the last municipal election; they were all going to quit their positions. I know in my area there was certainly no shortage of candidates to run for municipal elections.

**Interjection:** They said no good people would run.

**Mr Hayes:** They said no good people would run; we'd lose all the good people. I think there's a heck of a lot of really good people out there who got elected to municipal councils across this province.

The member for Scarborough North raised the issue about invading private properties, especially when it comes to developing wetlands. I know the member for Renfrew North also mentioned this. I'm very glad they did mention this, because when we were up in Ottawa, when an individual came there and was very upset about part of her property being designated as wetlands, Mr Speaker, do you know when it was designated as wetlands? In 1984. They're here today blaming this legislation for something that happened back in 1984.

You should get your facts really straight.

On the issue in regard to minor variance, the member for Etobicoke West raised a good point there and I think it certainly does concern all of us.

Just to let the House know, we had a presentation that was made by the Ontario Association of Committees of Adjustment and Consent Authorities in the province. In their presentation, I think some of the members in the opposition asked them how they felt about defining a minor variance, and of course they told us to really stay away from that particular issue of trying to define a minor variance, because in many of the cases that happen across this province, decisions are made on their own merits.

As far as municipalities having to be consistent with provincial policies is concerned, certainly they should be consistent with provincial policies. What's the sense of having policies if you're not going to be consistent with them?

The member for Renfrew North made some statements that all of these municipal people are opposed to this bill and it's going to freeze planning. Well, as I mentioned earlier, Mr Bill Mickle, the president of AMO, said, "The planning amendments to Bill 163 introduced by the government today demonstrate that the province is listening to the concerns of AMO and the municipalities." That's exactly what we have done. We listened to the private sector, the developers, the homeowners. We listened to many associations and organizations.

**Mr Stockwell:** On a point of order, Mr Speaker: Considering the member who just spoke ended on the comments he did, I would seek from this House unanimous consent so he can name one private sector association that in fact endorses this piece of legislation. I ask unanimous consent because I know he would not leave something on the record that is in fact inaccurate.

**The Acting Speaker:** Do we have unanimous consent according to the request? No, we don't have it.

**Mr Stockwell:** Could I ask who opposed that?

**Interjection:** I did.

**Mr Stockwell:** Oh, the NDP members opposed it.

**Mr Eddy:** On a point of order, Mr Speaker: The parliamentary assistant advised that I agreed all along the way with the bill. I implored every step of the way that the policies be subject to review. I begged. I pleaded.

**The Acting Speaker:** We are now dealing with third reading. Mr Hayes has moved third reading of Bill 163. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members; a five-minute bell.

*The division bells rang from 1628 to 1633.*

**The Acting Speaker:** Would all members please take their seats.

Mr Hayes has moved third reading of Bill 163. All those in favour will rise one at a time to be recognized by the Clerk.

**Ayes**

Abel, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooper, Coppen, Dadamo, Duignan, Farnan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Kormos, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Morrow, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Ziemba.

**The Acting Speaker:** All those opposed to third reading of Bill 163, please rise one at a time.

**Nays**

Arnott, Beer, Bradley, Caplan, Carr, Conway, Cordiano, Cunningham, Curling, Eddy, Fawcett, Harnick, Harris, Jackson, Johnson (Don Mills), Jordan, Kwinter, Mahoney, McClelland, McGuinty, McLean, Miclash, Murdoch (Grey-Owen Sound), Murphy, Offer, O'Neill (Quinte), O'Neill (Ottawa-Rideau), Poirier, Ramsay, Runciman, Ruprecht, Sterling, Stockwell, Tilson, Turnbull, Wilson (Simcoe West).

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 64, the nays 36.

**The Acting Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Orders of the day.

**Hon Mr Charlton:** Mr Speaker, we are calling orders 82 to 93 inclusively so that they can be dealt with concurrently. Members may therefore speak to any one of the items that are listed from the 82nd order to the 93rd order.

**CONCURRENCE IN SUPPLY**

Mr Charlton moved concurrence in supply for the following ministries and offices:

Ministry of the Solicitor General and Correctional Services

Ministry of Health

Ministry of Transportation

Ministry of Community and Social Services

Ministry of Northern Development and Mines

Management Board Secretariat

Ministry of Agriculture, Food and Rural Affairs

Ministry of Housing

Ministry of Environment and Energy

Ministry of Culture, Tourism and Recreation

Ministry of Economic Development and Trade

Ministry of Natural Resources

**The Acting Speaker (Mr Noble Villeneuve):** We now open debate on concurrences.

**Mr James J. Bradley (St Catharines):** Thank you, Mr Speaker, for this opportunity to join in the debate on

concurrences. I guess what members of the opposition particularly like about this debate is that it allows for a lot of latitude and it doesn't invite the intervention of the Speaker on many occasions.

*Interjections.*

**Mr Bradley:** There appear to be a lot of—

**The Acting Speaker:** Order, please. There are a great many private conversations. The member for St Catharines has the floor to debate concurrences.

**Mr Bradley:** Thank you for your kind assistance. I know one of the pages will be bringing me a glass of water in just a moment and I'll look forward to that.

I want to discuss a couple of things. I see the Minister of Consumer and Commercial Relations is here this afternoon.

I first of all want to compliment the government on having virtually all of the ministers here for the vote this afternoon when the government's life was on the line.

**Interjection:** Never compliment the government.

**Mr Bradley:** I'm complimenting them only because they are here this afternoon. Of course, for question period we couldn't find most of the ministers we wanted to direct questions to, so I am certainly concerned that this be the case. I was delighted to see them in the House and hope that they will return for question period tomorrow and on subsequent days.

1640

One of the items I want to discuss, because the Minister of Consumer and Commercial Relations is here this afternoon, is the issue of gambling in this province.

I had someone say to me yesterday, one of my constituents said to me yesterday: "You know, I used to wonder why you'd get up in the House and rail on against gambling and particularly against casino gambling. I thought you were simply trying to score some partisan points because it was an NDP government that had brought in casino gambling and you're a member of the opposition." But this person—

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** This has nothing to do with me.

**Mr Bradley:** This has to do with the Solicitor General, because it's going to cause problems for the Solicitor General.

*Interjection.*

**Mr Bradley:** The minister is intervening because she doesn't want to hear the truth, I think, perhaps, but the Solicitor General will want to hear this, and his concurrences are before us.

I was on my way back from a football game in Pontiac, Michigan, the Buffalo Bills and the Detroit Lions, and this person said to me—

**Mr Kimble Sutherland (Oxford):** Who won, Jim?

**Mr Bradley:** I was here. I had to be here on Thursday afternoon, but others didn't have to be.

This person said to me, "You know, I thought you were simply being critical because it was the government who brought in casino gambling, but my friends and I



decided we would stop in to the Windsor casino just to see what it was like."

This person is not a high roller. He's a regular person, works in an industry, blue-collar job, a person who hasn't been scolding of others in terms of gambling in years gone by. And he said, when he got in there and then came back: "You were exactly right. The very people who shouldn't be gambling were gambling. One woman was sitting there with a baby around her while she's playing the slot machines. Another is gambling some huge amount of money that I'd cry if I ever lost on a blackjack table."

They may be Americans, most of them, and maybe they're going to gamble somewhere else anyway, but I'm going to tell you, for a lot of people in the NDP and the old CCF and a lot of the rest of us around here, it would be a sad sight to see what's happening, and it reminded me of the situation—

**Hon Ms Churley:** What's the Liberal position on more casinos, Jim?

**Mr Bradley:** Well, the member doesn't understand. I'm speaking of this as an individual member of the House, just as many of my colleagues who sit on your side, I'm sure, are very uncomfortable. I'm speaking generically. Whether it's an NDP government or whatever brought it in is relatively irrelevant, except that I always thought the position of the CCF and its successor the NDP was in adamant opposition to this kind of gambling. That's the only reason I put it in the context of the NDP. I opposed it when people proposed it to the Liberal cabinet table. I opposed it adamantly. I'm sure the Tories probably had the same information brought to them.

Let me tell you something: It's attractive to governments, particularly when it's hard to raise taxes, because it is. I know if this government goes out to try to levy a tax in this province, the people will be in an uproar, because they don't want any more taxes. So more and more governments across this country, probably around the world, are looking for easier ways to get funds, ways that you don't have to justify increases in taxes.

The people who are paying the price are the most vulnerable in our society: people who are compulsive gamblers, people who don't have much and see gambling, particularly something as attractive as casino gambling, as a great chance to do so.

I wish the Premier and the Minister of Economic Development and a few others who showed up—I don't think the Premier was there himself, but others who showed up—for the official opening of the casino would go there today and see who's gambling, see who's in the casinos, and they'd see that there are a lot of people who don't have any money, who are in effect taking a chance with the little money they have to gain some more money.

That's why I must put on the record again, I know, and I won't name the people because it's not appropriate to do so, but there are people on the other side of the House on the government side who are as opposed to this as I am.

Now they're talking about putting one close to St

Catharines. Well, if you're a merchant in St Catharines, if you're a business in St Catharines, all you're going to see is some of the potential money being drawn away from St Catharines and other communities in our area.

If you talk to the people—and maybe some of the people in Windsor will quarrel with me on this; maybe they know more than I do about it, and I'm prepared to say that—but I think a lot of the people who had businesses around the casino probably thought that there was going to be a lot of extra business for their businesses. Well, there may be a bit more, but the expectations haven't been realized, because largely people come in to gamble. They can eat something while they're at the gambling casino, and then they head out of town again or head somewhere else.

I wish governments all over would find a different way. I'm glad, I think I heard from the minister—I stand to be corrected—that you're not going to get into these idiotic video lotteries. They used to have them in stores in some of the maritime communities. What do you call those? VTRs or something like that, video terminals, and you gamble with those. Again, just squandering the money away.

Tell me you're going to give me 10,000 jobs in my community. Tell me it's going to be good for the province. I don't want it. I don't want it in St Catharines. I'm on the record as saying I don't want it. There will be a lot of people in my community, I'm sure, who would say, "How can you turn away these jobs?" I think the consequences of casino gambling are evident in places such as Atlantic City. I certainly will oppose any government that wants to put one in my community.

I hope the government will look long and hard. One of the things I want to say which is positive is that I agree with the statement that is made that, the government says, "We're going to evaluate the Windsor project very carefully before moving on." That part I agree with, and I'm pleased about that. I'm simply sorry that evaluation didn't take place first.

Everybody knows that when Detroit sets one up—and they will eventually; not immediately—it's going to draw those people right into Detroit. All you're going to be left with is the shell in Windsor and the problems that go with it.

It looks good now. It's so attractive. Listen, almost every municipal leader in the world says, "Isn't this great?" I know how attractive it is. It's like many of the owners of the bars who had offtrack betting. Some of them brought in offtrack betting, and they found out their regular customers took off. They took a hike because they didn't like the characters hanging around there. The people who came in spent their money on offtrack betting, and they didn't tip the waitresses and waiters. I guess you're supposed to say "waiters" now. It's generically—

**Mr Sutherland:** Servers.

**Mr Bradley:** "Servers" is the word. Thank you. The NDP has given me the appropriate word. The servers in a restaurant, they don't tip them. They spend all their money on the gambling, and then they lose their cus-

tomers. I remember one individual who chastised me after a speech in this House who has since then asked them to take the offtrack betting out, and the restaurant is doing well again. It's a great restaurant. I won't give it a personal plug, but it's a good restaurant.

So I ask the government—because they already have one in Windsor—and I hope the minister, and she has given this undertaking, to her credit, will carefully evaluate all of the consequences as well as the benefits of the Windsor casino project before moving on to other projects in this province, even though I know you're itching to get some of them on some of the native reserves in Ontario. I'm not in favour of that either, personally, but I know there are others, in all three parties, who have different points of view on this.

But I wanted to say that because it was interesting hearing it from an objective observer, who once in a while tunes in to this Legislature, saying, "I always wondered why you made those speeches against casino gambling, and having gone to one of them for about half an hour, I know now why you make those speeches against casino gambling." I think society is going to pay a rather significant price somewhere down the line.

Today we were dealing—and I noticed Ministry of Agriculture is part of the concurrences—with the preservation of agricultural land. Some of our people who talked on this bill today, from all three parties, talked about some of the positive aspects as well as the negative aspects of the bill that just passed as a result of the closure being imposed by this government.

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I happen to think, and again concurrences allow us an opportunity to advance some of these personal points of view, that we should be making a very major effort to preserve agricultural land in this province. I think some steps have been taken by all three governments and I hope that people will hold fast to that.

We view Canada as a very large country, and we are, but much of this country is really not very livable land for most people. I admire the people who are in the extreme northern portions of this country, because it's very difficult to live in those areas. The amount of arable land that we have and the amount of territory we have within our country that has weather which is conducive to growing fruits and vegetables and raising livestock is rather limited.

We seem to think we have this huge land that we have to fill up. I was asked once, for instance, by the Ottawa Citizen, someone had phoned me from the Ottawa Citizen to say, "What do you think is the number one environmental challenge or problem in the world?" They were perhaps surprised to hear me say "overpopulation," because the larger the population of human beings on this earth, the more demands that are being placed on the resources that we have.

I was watching Dr David Suzuki on, I think it's called, the CPaC channel. It's the Canadian parliamentary channel and it has some good programs out of the federal House of Commons from time to time. David Suzuki was speaking at some length at a conference and he pointed

out just how much stress human beings place on the limited resources that we have in this country. One segment of that of course are the agricultural resources.

Here we are in Ontario. The best agricultural land is in the Niagara Peninsula, I believe, in southwestern Ontario. Where are we building? Southwestern Ontario and the Niagara Peninsula. Let's pave that land over, make sure it's gone, because that's progress. Many of my municipal friends believe this, and many of them don't believe this, depending on who you talk to, that you must pave every last centimetre of land in your community to show that you've made progress. I don't share that point of view.

I'm one who compliments the government when I think it's doing a good job and I criticize when I think there's room for criticism. One of the stipulations that was placed in the movement of the MTO to St Catharines—many people said, "Oh, it's irrelevant; don't you worry about that"—was the stipulation, and the former minister is here, that the city of St Catharines not be permitted to expand its urban boundaries simply as a result of having the MTO placed in St Catharines. I concurred with that and I thought it was a positive step and I said so. I believe that to be the case today. We can have development within existing urban boundaries.

But there are other areas I look at in my own Niagara Peninsula. I began driving, or taking the train or taking the bus, to Toronto and back about 18 years ago when I was first elected here. It used to be a beautiful sight. You could drive out of Toronto and then pass Mississauga, Oakville, Burlington. You had development through there, but when you got to Burlington the development ended.

What do we have along the Queen Elizabeth Highway? Is it the lovely orchard that I can look at? Is it lovely rural land? No, it's warehouses. It's not as though somebody plunked down a plant and said, "Here are 8,000 auto jobs," or "Here are 8,000 steel jobs," or something, and you could say, "It's a difficult tradeoff and it's good agricultural land, but at least there's something to show for it." Instead we get these warehouses. I don't know how many people they employ, but not many people. Maybe to many people's eyes that's beautiful, that's progress, that's business; to me, that takes something away from the Niagara Peninsula, the uniqueness of the Niagara Peninsula.

I drive through the little towns that used to be little villages and towns, and you see a sign for a subdivision. What on earth are they putting a subdivision in some of these lovely little communities for? So people from Toronto can live there and drive back and forth? That's what it's for. It's not for people who reside in the community. It's not that there's a need from within the community. Then they ask the member for Lincoln, the member for St Catharines-Brock, the member for Niagara Falls, the member for St Catharines and the member for Niagara South to come with them to Queen's Park to tell the Minister of Education that they need a new school or that they need new water systems and sewer systems. Why? To service people who are going to commute back and forth to Toronto, not to serve the needs of the individual communities. Yet this goes on and on.



I lament that fact and I hope all of us in this Legislature will recognize the importance of agricultural land, not only to our future but to other people in the world who can benefit from that agricultural land.

Conservation easements are something we fought for in the Niagara Peninsula. The various members got together, opposition and government. I publicly asked questions about it and members of the New Democratic Party, the member for St Catharines-Brock and the member for Lincoln, who are both here now, talked to the minister about it and publicly stated their support for conservation easements, which would afford an opportunity for farmers in our part of the province to retain their land and at the same time not have to make the same sacrifice they would otherwise, because it's difficult to make a living on the land today.

Mr Speaker, you in the chair are a person who knows agriculture well. You know it's not an easy business in 1994, probably never has been really easy, but it's a very challenging business with free trade agreements, with international trade agreements and with all the stresses that are there.

I implore the government and other parties to make sure that we do everything possible to save the farmer, to ensure that we have viable farmers out there and viable farms, and that we can preserve not only the agricultural land but much of the rural nature of the province of Ontario. That's what gives us some peace of mind; that's what makes things nice for us. I don't consider progress to be paving from Metropolitan Toronto to Fort Erie. There are some communities that are already paved. They're already well developed. Thank you, I don't want to see that going through the Niagara Peninsula.

I lament it happening in southwestern Ontario. There's some great land in southwestern Ontario. Frankly, I think that if you're going to have development, eastern Ontario in certain portions offers some opportunities where, first of all, the weather conditions may be somewhat different, more difficult for growing certain products, and second, some of the land is not as conducive to it. But what do we do? We've got to plunk her right down in southwestern Ontario where the land is good—it's lush land out there—and where the weather conditions are great. Meanwhile, eastern Ontario, which would love to have some of this development, is ignored by market forces—not by governments, by market forces. That makes it very difficult.

**Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs):** Where are people going to live? Where they choose.

**Mr Bradley:** The member makes a point I thought perhaps an extreme right-winger might make, saying—

**Hon Mr Pouliot:** Right-wing but no, not extreme.

**Mr Bradley:** The member from Manitouwadge interjects, "Where are people going to live?" I would think he would be inviting them to Manitouwadge, a wonderful place to live, I'm informed, and the member tells me a great place to be from as well. There are places in this province.

I hear people say, "We should be building for an Ontario that has 50 million people." Why should we be doing that? As soon as you continue to have your population growing and growing, you put more stress on the environment in your area. I don't want to go into the gory details, but you need more sewage treatment plants, more water treatment plants, more garbage dumps—or sanitary landfills as ministers of environment call them—around the province; you need more roads, more transportation, more everything.

1700

I think what we've had has been reasonable and I don't think we have to be looking forward to huge population increases in Ontario, that we should be trying to necessarily attract that, although I'm told again that market forces are important in that regard.

I know as well that some of the ministers who are dealing with these concurrences are concerned about car insurance. The reason they're concerned about car insurance, and I don't know what other members are finding out there—

**Mr Sutherland:** Which ministry?

**Mr Bradley:** Which ministry? Agriculture, because some of the people who are on farms are also concerned about car insurance and vehicle insurance. I am getting all kinds of calls from people. Again, I'm not trying to place blame on anybody; I'm just simply trying to raise the issue of huge increases in automobile insurance and other insurance. The calls are coming in consistently to my constituency office.

I hope those ministers who are here will take that message back to the cabinet, and if there's anything within the realm and responsibility of the government that can be done to abate these increases, I'll be pleased to see it. I know there was a promise of government auto insurance. The reason I know that is that my colleague Mel Swart from years gone by, former member for Welland-Thorold, has reminded people on many occasions about government automobile insurance, or as you used to like to paint it, on the other side, driver-owned. That was the way you always put it: driver-owned.

That may not be in the books, but I do hope the government looks carefully at all of these problems that are related to automobile insurance and why there are such tremendous increases when in fact the government claims that it is interested in something else; that is, lower rates, that it's doing a lot of things for safety that are supposedly going to lower the rates in our province.

Another thing: The Solicitor General is here—so that is good; I want to talk about his photo-radar—and the Transportation minister of years gone by. I think it's a misallocation of the funds of the Ministry of the Solicitor General to put them in photo-radar, and I think those funds would go much better into other police officers being placed on the highways and elsewhere. I think people who are able to pursue other vehicles, who are able to spot people who are weaving back and forth because of impairment, are able to spot other problems happening on the highway—if we had more of those officers, because I too agree with safety on the highway,

that would be much more productive than the money machine we call photo-radar.

Someone phoned my office the other day and said: "What kind of province are we living in? I have four tickets this week from photo-radar."

**Hon Mr Pouliot:** Slow down.

**Mr Bradley:** As the member opposite mentions, there is an option to be exercised there. That is true. I simply believe that the primary purpose of photo-radar is without a doubt to get money for the Ontario government. It goes back to a theme that I have raised before.

**Hon Mr Pouliot:** Safety. That is what the police say—safety. Why should we take the word of a member of the opposition instead of a police officer?

**Mr Bradley:** I would have thought that the member, if he wanted to interject, would be in his own seat, Madam Speaker, rather than interjecting from the front row.

*Interjection.*

**Mr Bradley:** There's a very relevant point there.

**Hon Ms Churley:** He is all alone over there.

**The Acting Speaker (Ms Margaret H. Harrington):** Order.

**Mr Bradley:** The minister says that I'm all alone over here. I simply say that I'm with the people of Ontario when I speak this afternoon. Mr Turnbull and I know that the people are listening to our interventions on their behalf.

There are other things I want to mention that I think are of some concern. On behalf of the people who are concerned about the environment, I want to say that I believe there should be a substantial allocation of funds to the Ministry of Environment.

Every government goes through the process, for some strange reason, of wanting to cut equally when they get into cutting, as though every ministry should be cut the same. I happen to believe that the government should pick its priorities—I may not agree with them—and not cut substantially in areas that are of great importance. I lament the fact that this government, despite what I always thought was a substantial commitment to the environment, certainly a visible and audible one in opposition, has cut significantly the budget of the Ministry of Environment.

I know the consequences of that. I know exactly the consequences. When I was a minister and I wouldn't get a 20% increase in a year, I would think the world would end because we couldn't possibly carry out our mandate. When I see Mr Wildman now have to make do with some very serious cuts in his ministry budget, I'm telling you I become very concerned about that. I hope that other members in the House on the government side, even in the cabinet, who are concerned about the environment will stand shoulder to shoulder with the Minister of Environment.

**Hon Mr Pouliot:** Going to cut the deficit?

**Mr Bradley:** Now I'm asked, "Can we cut the deficit?" Well, I picked up a newspaper because I've always been interested in government advertising. A lot

of it's self-serving advertising. I picked up the Globe and Mail and it had a full-page ad and it was nothing but self-congratulatory advertising. All it was—

**Hon Mr Pouliot:** Forty per cent less advertising.

**Mr Bradley:** Nobody believes your figures.

**Hon Mr Pouliot:** Well, would you believe 15%?

**Mr Bradley:** Well, you're getting closer. It was a full-page ad and it said, "Here are all the firms that have benefited from Jobs Ontario." What does that mean? If the Minister of Health puts in an ad saying, "We have a problem with meningitis; we recommend the following," I'll tell you, if that's a large ad, if that's a prominent ad, I'll be the one to support that. You won't see any criticism. My objection is when it's self-congratulatory advertising.

I remember in the good old days when the other party was in power—"good old days" in quotation marks—I had to raise the issue of a jingle that came on the radio that said: "Life is good, Ontario. Preserve it. Conserve it." That was coming just before the election. I was chastised because I suggested that was alluding to Progressive Conservative, PC. I raised that issue in the House previously with that government and they paid the usual amount of attention and simply increased their advertising before the election campaign.

But the one thing they did do was sell the jet. They sold the jet. The minister was here when we talked about the jet. I used to get up daily and ask the question about the jet. Then on page 16 of the announcement, the Premier of the day, Mr Davis, got up and said, "And we are trading in the government jet for two water bombers." That was an example, and then I wanted them to sell Suncor and eventually Suncor got sold.

**Hon Mr Pouliot:** Sold it with SkyDome: two for one.

**Mr Bradley:** The other theme was, as I said, government advertising, because they always asked what you would do. So all of these things, and I don't think you should criticize Premier Davis for starting SkyDome. That is not something he should be criticized for, so I won't do that.

There are so many issues one could take before this House in the field of health care, for instance. We in the Niagara Peninsula, all the members there, will be looking forward to the MRI machines that we know must be coming to the Niagara Peninsula.

**Hon Mr Pouliot:** You just got a CAT scanner. What do you want?

**Mr Bradley:** Well, we have three CAT scanners now because we worked together to raise those issues in the House. We have those CAT scanners. Now, may I tell you how much the government of Ontario paid for those CAT scanners? The answer is zero, because the money is raised locally by the people and then the operating cost is assumed partially by the province of Ontario.

*Interjections.*

**The Acting Speaker:** Members are out of order if they're not in their seats. Order.

**Hon Mr Pouliot:** We're trying to protect the less fortunate. He won't do it.



**Mr Bradley:** What we are saying here is that we have MRI machines that are not available. I had someone phone my constituency office last week who said the mother in the family would have to wait four months, I guess, until March before the person would be able to have access to an MRI machine. In the St Catharines area, if you've got money you simply head across the border and that day at one of the malls you go in and there's an MRI machine. We know that in the United States—

**Hon Mr Pouliot:** One of the malls?

**Mr Bradley:** Yes, they actually have it in a mall; not even a hospital, right in a mall. You go in and there's an MRI store where you go in and have your MRI done.

**Hon Mr Pouliot:** You mean when you can buy it.

**Mr Bradley:** That's exactly what happens. The member makes a very good point. The American system is based not on one's ability to pay, as such; in other words, if you're poor you still get it or if you're middle-income you still get it. It's ability to pay in terms of the fact that if you've got money in the United States, you have instant access to health care. So when they brag about the American system, that's fine as long as you've got money.

1710

Canadians have some of that option as well. This is why I'm saying it will be nice to have in the Niagara Peninsula, and I'm sure they must consider us for these machines, approval for MRI machines in St Catharines and other areas in the Niagara Peninsula.

One of the things I want to say this afternoon—we talk about health—is that it's expensive. Members of this government know that now; they know how expensive it is. They've been in government. Everybody does. I get a bit concerned when I hear the radical right, the extreme right out there, these various coalitions that claim to speak for citizens and so on, talking about how they're going to cut, because what it really means is health care.

As I said in the House the other day, after you've taken all the French signs down, because it must be those French signs, that's what costs so much money, and after you've lowered the members' pay or don't pay the members anything, because that's what they say you've got to do—that's a real problem—and once you get rid of multiculturalism, I'm going to tell you, there will be all kinds of money in this province.

But we know that's not the case. The high-ticket items are health care, the social safety net, the education system—

**Hon Mr Pouliot:** The Solicitor General's office.

**Mr Bradley:** —and a growing one, the member interjects: the Solicitor General's office, which is coming under considerable pressure from various places to put more resources to deal with the problem of crime, the perceived problem and real problem of crime out there.

All of these demands are made on those of us who are political representatives. Nobody wants to pay higher taxes; everybody would love to lower the deficit. That's where I think the only way to deal with this is to really pick what our priorities are and put our resources into

those priorities. I hope that environment would be one of those priorities.

I want to talk about photo-radar. Here's a story that says, "Photo-Radar Won't Stop Bad Drivers." The only reason I want to mention photo-radar is to go back a bit to a theme I started out with, and that theme was that governments today are lowering themselves—every government; please don't think it's this government alone—to easy ways of getting cash, relatively painless ways of getting cash, non-tax revenue, because nobody wants to do that.

**Mr Sutherland:** What happened to the environment lottery?

**Mr Bradley:** That's a good example of something that should have disappeared and did. Other things that we want to—

**Mr Paul Klopp (Huron):** That wasn't in your speech, I think.

**Mr Bradley:** It was certainly in the speech.

There is a need for a new family and children's services office in St Catharines. One of the problems that has arisen recently, and there are a couple of things here; it's getting me on to another—

**Hon Mr Pouliot:** These people are going to cut now.

**Mr Bradley:** No, I'm going to tell you what's happening with this. What's happening with this is that private fund-raising is taking place. I want to compliment them. They have private fund-raising taking place. Family and children's services initiated this. They'll be looking for the assistance of government, yes, but here is private fund-raising. They didn't simply go to the government and say, "Give me, give me, give me." They said, "We're prepared to make an investment from our community in this service." I think more and more we're going to see a need for this.

I want to get into the field of social services and particularly student welfare, one of my favourite topics. I want to implore the government again to save this program by ensuring that it's not being abused. And it is being abused; that's the problem. Again it's a difficult issue. I understand how difficult an issue it is. But more and more we're getting parents who are contacting their members and saying, "My child," the child being a student in the midteens, "says to me, 'If I don't get my way at home, I'm going to go on student welfare. I'm going to claim abuse and an untenable situation at home and I'm going to go on student welfare.'" Then of course that person is supposed to attend school, and it's questionable whether that actually happens. Other kids see this happening and they say, "That's the way to go."

This program, in its initial stages, was a good idea. The idea was that students in a truly abusive situation at home, a truly untenable situation at home, who wanted to continue on in education would have the opportunity to do so with public assistance. There are some good examples of students who have done well doing that, from very difficult circumstances, and I commend those students. But my fear is the program will be abused even more and more, in two ways: one, students won't attend or, second, the students will simply use it as a lever to

get out of situations where there's some discipline being exercised at home.

I know the minister has said he wishes to address that. I hope he does. But I sit on the government agencies committee and watch some of the people who are being appointed to the government agencies, and many of them were advocates in years gone by for those who appeared before the Social Assistance Review Board. If they were an advocate in years gone by, if that was their job, to try to get the Social Assistance Review Board to change its decision, then I wonder how impartial they can possibly be if they are to maintain their own conscience.

We're seeing an attack on the welfare system today. It's because a lot of people out there are concerned about some individuals they believe are abusing the system.

We had on the front page of the St Catharines Standard last week an article about the Salvation Army tightening its rules on who may receive assistance. Two people appeared in the story and they told their story about how difficult it was. The story was really, I suppose you could say, a shot at or perhaps a criticism of the Salvation Army for adopting this. Well, the calls came into the constituency offices, they came into the local newspaper, and I'll tell you, a lot of people backed the Salvation Army.

Who were these people? They were the working poor. They were saying: "So these people are complaining? These people who are on government assistance are complaining? Do you know what I do? I have to work part-time," or full-time, or two jobs. "I have to look after my own kids. I have to do a lot of things. I don't have a lot of these services, and these people are complaining?"

Where you find the greatest opposition is not among the rich. The really rich and really influential have their ways of getting around the tax system and often are able to get government grants and assistance in a different way. Where you're finding the opposition is among the working poor and the lower middle class and the middle class, who are very concerned that many of these programs are being abused.

Sometimes they are; sometimes they are not. I don't think it's fair to make a blanket statement that that is the case. I know that when the member for St Catharines-Brock and I raised issues of this kind we were attacked in a column in the St Catharines Standard, along with Mike Harris. We were in great company that day. We had Mike Harris in the column, and Christel Haeck and Jim Bradley were all mentioned in this column because we were welfare-bashing, when in fact, at least for two of us, we were endeavouring to ensure that the program was geared to the people it was supposed to address. I think those who feel a social conscience out there will have to be realistic enough to know that the public will justifiably demand that those programs be targeted to those who genuinely need them.

When I see people who are physically disabled, often very physically disabled, or mentally challenged, and when governments are paying for those people, I know of no one in my community who would object. Only the most cynical and the most hard-hearted person would object to that. But when they look at able-bodied people

out there who are not pulling their weight, who are prepared to exercise an option that others don't want to exercise, I think they're going to be justifiably concerned about that and express that concern. You saw south of the border how that struck a responsive chord with the Republican Party.

*Interjection.*

**Mr Bradley:** The member for York Mills is asking me how long I'm going to be, and I will tell him that—  
1720

**Mr Bill Murdoch (Grey-Owen Sound):** Nineteen more minutes.

**Mr Bradley:** That looks like five hours and 18 minutes I have. I think I'll try to give him some time about 5:30 if he would like. That's fine with him.

I wanted to raise a couple of other issues of importance to us in the Niagara Peninsula. The member for Lincoln rose in the House the other day to express his approval of the decision which was made at the Environmental Assessment Board hearing into the OWMC. It is interesting in all of this discussion, of course, that one of the items that has been forgotten by some is that this was placed before the Environmental Assessment Board and designated for environmental assessment.

When the OWMC was set up, there was a hearing process in place then which would almost certainly have approved the OWMC. I had great pressure—I live in the area, close to the area, 25 miles, I guess, as the crow flies—to politically end this project. As Minister of the Environment at the time, I felt that it should not be a political decision but should be an environmental decision. The hearings, to say the very least, were exhaustive and comprehensive. As a result, a decision was made, rendered by the board, that it would be turned down. There's an appeal time, and we will be able to see that process followed through.

The point I want to make is that for those who sometimes don't have faith in government and in the institutions of government, the Environmental Assessment Board should give heart to those who believe they, in the David and Goliath fight, are the David, that David has a chance on many of those occasions before the board. That happened in this particular case.

**Mr Murdoch:** Not too often.

**Mr Bradley:** The member for Grey is here.

**Mr Murdoch:** Owen Sound. Get it right.

**Mr Bradley:** Well, Grey and Owen Sound. He brought in apples today. I'll tell you, he had almost as many apples today as he had severances years ago. I remember those days.

He and I have differed considerably over the years on the Niagara Escarpment. I believe the Niagara Escarpment is a unique land form, one that should be preserved, one of which we can be justifiably proud in this province and one that requires the protection of government to ensure that those who would simply like to develop anywhere and everywhere wouldn't be able to take over that escarpment and we would have these gaudy structures all over it that would make it look unattractive.



**Mr Murdoch:** Like they did down in St Catharines.

**Mr Bradley:** The member makes a very valid point, though. I like this point he makes. He says like—well, let's say southern Ontario. He and his area face a difficult circumstance. It's similar to those of us who live in southern Ontario or those of us who say you shouldn't cut any trees in northern Ontario. "Thank you. We've cut all our trees in southern Ontario to speak of, but don't you cut yours."

Similarly, he points out, there have been some developments that have been allowed on the Niagara Escarpment in southern Ontario, the southern tip of it, that would not be allowed today in the northern section. I think that's a valid observation, but I would hope that would not be used as a reason to loosen the restrictions that are now on development on one of our wonderful natural spots in Ontario, something of which we can be justifiably proud: the Niagara Escarpment. I wanted to mention that because I know the member always wants me to raise this issue. He always takes the opportunity himself to do so.

I drink some water because I saw in the auditor's report that water was of some concern. At least he said the water was safe here in Toronto. It's interesting how, when the NDP is in power, suddenly the water is safe, even though they've cut back in the ministry in their expenditures, and I happen to know how much testing you have to do. If I had gotten up in 1988 and said the water was safe, I'll tell you, every environment group in Ontario would have been on the attack, the NDP opposition would have been pounding its desks, the CBC would have been there analysing the water in 10 different communities and showing that the water wasn't safe. But we have an NDP government now and apparently the water becomes safe. Even in my own newspaper I saw an editorial that said: "Well, you know, the opposition shouldn't be pursuing this. The water is safe." Well, isn't that nice. All you have to do is elect an NDP government and the water suddenly becomes safe. Well, that's enough to make even the most cynical people in this province even more cynical.

*Interjection.*

**Mr Bradley:** The member for Middlesex, whom they won't allow to answer a question in the House—they keep her out of the House when there are other ministers here; they chase her out of the House; they do that with all their junior ministers—intervenes. Now, she would have been fit to be tied if a Liberal or Conservative government had slashed the Environment budget by as much as has been done under this government. The pride of green forces, the investigation and enforcement branch of the Ministry of Environment, is restricted in its growth and probably has faced some significant cuts as a result of government policies.

I also wonder about some of the inspections taking place out there. We want our food to be accepted in Ontario. The member for Grey-Owen Sound brought apples in. They were good-tasting apples. He would want to know that there's appropriate testing taking place and observation taking place in the meat factories of Ontario and of the fruit and vegetables sold in this province and

imported into this province, and I'm going to tell you something: When you start cutting back on those areas, you start having problems. Nobody likes to talk about those, but that's where the problems arise.

I indicated I did not want to dominate all of the time before the House this afternoon. My friend the member for York Mills is often kind enough to provide me with some time in the House. I know he eagerly wants to pursue some issues, and in two minutes we'll be reaching 5:30 and I'll be turning the floor over to him.

But I also want to express one last thing, if I may, and I don't know what ministry it comes under, but it comes under one of them, I'm sure, and that is a great concern that as we head into the next election, we don't get into the kind of advertising that I saw south of the border. "We had reached a point in our political system," it is said in the New York Times, "where it was simply not possible to use positive advertising, because nobody out there would believe that any of the political parties," in their case, two parties, "would be able to deliver on them." So the only advertising they went to was negative advertising, and when I hear firms south of the border being hired here in Canada to come forward with that kind of advertising, I'll tell you, that will not be good for our political system. I've seen that advertising already, but ours is still not as bad as the American advertising.

That is simply not acceptable, but do you know why it will happen, or if it will happen? It will happen if it works, and unfortunately, on so many occasions, it's been proven that it works, with some exceptions. We all remember the ad in the last federal election, the Progressive Conservative ad which depicted the now Prime Minister in a very unfavourable light physically. That was one that was a good example of an ad that had to be pulled. I simply use that—I don't taint the provincial Conservatives with that. I don't do that, even though I think John Tory approved it, and isn't he with the provincial Tories?

**Mr Murdoch:** Oh, no.

**Mr Bradley:** He's not with you? Okay, I just wanted to know that. But that was an example of one that backfired. However, I say to members of the House that it is the contention, I believe of Decima Research and its guru, that the problem was that they didn't keep playing it, that if they had played it 10 more days, it would have worked, would have started to work.

That's the sad part. I've watched that American advertising. I could not believe it could be that negative. I mean, you'd say, "Who wants to even be in the political system if that's what you face?"

Well, I hope that doesn't happen. There's not much a government can do about it, but I express that view, that I hope is shared by members of this House, that what is placed before us by all of our parties will be positive programs, positive suggestions—yes, some criticisms of the other party where they are acceptable, but not the kind of negative and cynical advertising we saw south of the border just a month ago.

1730

**The Acting Speaker:** I thank the member for St

Catharines for his contribution. Further debate?

**Mr David Turnbull (York Mills):** I would like to just take up where the member for St Catharines left off, on the question of negative advertising. I think indeed that's correct: It would be a sad day if in Canada we see the embracing of the kind of advertising that we saw south of the border. Unfortunately, I have to think back to the last provincial election, the only election I've ever run in. I remember, as we were doing quite well in the polls, the sudden impact in the last 10 days of negative advertising, which in fact was put on by the Ontario Liberal Party, where there was a balloon depicting the leader of our party, Mike Harris, along with the federal leader of the party of the same name. The balloon ad kept on dwelling on what they perceived were the sins of the federal party and then turning the balloon and showing Mike Harris's face and saying, "Remember, a Tory is a Tory is a Tory." That was the punch line.

How do I know that negative advertising, which was put out by the Liberal Party, worked? Because people were repeating the punch line at the door. If a lesson is to be drawn from this, you could feel that the election was ebbing away from us as I went to the door. We sensed the ascendancy. Indeed, our own polling suggested we were at about 36 seats about 10 days before the election, before the actual polling date, and then we dropped off down to 20.

One has to conclude that, unfortunately, it has worked in Canada. At times it has not worked; it has backfired. I would sincerely hope that all parties learn that this is not what we should be emulating. This is the good part of our Canada, that we don't want to embrace some of those American policies. But I thought it worth putting on the record for my good friend the member for St Catharines my memory of negative advertising which emanated from his own party in the last provincial election.

Turning to the question of concurrences, as the urban critic for Transportation for my party, I particularly wanted to speak today about my concerns with respect to the awarding of the 407 contract. The history of roadbuilding in Canada has been fairly colourful, going back to the last century. In an effort to ensure that the process of roadbuilding was clean and transparent, the then provincial Tory government, in 1952, opened up the whole bidding process in such a way that bids would be opened in public and all of the contents of those bids would be public knowledge, so that the public, the taxpayer, would be assured that in fact the person who was winning the contract would have given the lowest bid. Common specifications were developed so that people would indeed be comparing apples with apples.

With the 407 contract, that is not what the government did. They went through a prequalification process in which three large consortia were requested to tender their initial bids. One of those consortia members was in fact disqualified because it was deemed that it was predominantly an American consortium. I believe that consortium was in fact Peter Kiewit and Bechtel in that organization. They were told, "No, you cannot bid on this because we want Canadian companies to be getting this business."

The two remaining consortia that were allowed to bid were given a process which was, to be kind to the government, convoluted. I could think of other expressions which have been used to describe the awarding of this contract.

But there were no common specifications put forward by the government. There was an estimate as to what the probable traffic volume year over year would be on this road, and the two competing consortia developed bids and submitted them under the cloud of a confidentiality agreement that this government insisted they sign prior to submitting the bids.

The government had suggested that the reason for this confidentiality agreement was due to the fact that, unlike any other roadbuilding contract in Ontario history, not only would it be designing but it would be building, it would be operating and, most important, it would be financing this project, which is the largest contract this government has ever given in history—a \$1-billion contract.

The two consortia developed their bids and submitted them. Approximately two months before the winning bid was chosen, the Labourers' International Union of North America, Local 183, and two other unions approached one of the consortia and asked it whether it would sign a no-strike, no-lockout agreement. The agreement was duly signed, and it called for successive increases year over year of 4% for each of the first two years and then 5% for the remaining three years; in other words, a 23% increase over the five-year period.

Let's put this in context. This is at a time when inflation in Canada, and particularly in Ontario, was running at 1% or less. In fact in the greater metropolitan area, in which the road was being built, the inflation rate was running at a negative per cent. Here we have a government which is telling everybody about how fiscally responsible it's being, and yet it's allowing unions, and I may say certainly the most favoured union as far as Bob Rae is concerned, to extort a 23% wage increase over a five-year period. This surely has to be inflationary, if nothing else.

This same agreement was offered to the losing consortium, who politely declined to sign this agreement because they believed this would be detrimental to their bid because it would be inflationary.

The day the winning consortium signed the no-strike, no-lockout deal, the manager of that union, Mr Reilly, sent out a very inflammatory letter suggesting that all of his members and hangers-on should insist that they sell tickets, "and don't take no for an answer." I don't have the letter in front of me—it's easy enough for me to get it—but the words were to the effect: "Don't take no for an answer. Squeeze them for as much as possible because the prestige of this union lies in the ability to raise money for the NDP."

**Mr Bradley:** That's very close to what was in the letter.

**Mr Turnbull:** It is indeed very close to what was in the letter, and it said that the prestige of the union rested on this and the ability of the union to be successful in



future lobbying efforts. There's the interesting thing. The union was recognizing that it was lobbying the government. I've heard of other less complimentary expressions for lobbying the government in a circumstance like this. It turned out to be the most successful fund-raising event the NDP has ever had. It raised some \$100,000.

The day that this letter went out was some 10 days before the dinner. The day before the dinner was to take place, if I remember correctly, on January 19, there was a decision made that four deputy ministers would make the decision on the 407 instead of their political masters.

1740

**Mr Bradley:** Is this behind closed doors?

**Mr Turnbull:** This is indeed behind closed doors. So this of course allowed the deniable aspect for the minister and the Premier to say, "Oh, we weren't part of the decision about who the winning consortium was." Indeed, the decision was made by this group of deputies. The group of deputies never explained to the public how they arrived at their decision.

A very unusual thing happened with respect to this. The day the decision was arrived at as to who the winning consortium was—I'm sure you'll be surprised at this, Madam Speaker. The winning consortium was the group whose union—Bob Rae's favourite union, the Labourers' International, 183, which is currently being investigated by the provincial police—got the contract, and the Premier and the minister were able to say, "Oh, nothing to do with us; it was deputies."

The deputy phoned on that Friday to my constituency office to tell me that they'd taken the financing out of it. I had never, ever heard from the deputy minister before, but the deputy minister went that extra little step of informing me directly as to who the winning consortium was. The winning consortium was indeed the one that is very, very close to the Premier.

The invitation to the dinner was quite specific: "Squeeze all of the companies." Then on the actual dinner menu there was a list of all of the hosts to that dinner and the then Minister of Transportation was listed as one of the hosts. When I asked a question in this House, the minister popped up in great indignation and suggested, "I wasn't there." I don't know whether he was there; some people have suggested that indeed he was, but the fact is, he was listed as a host at that dinner.

This leads one, if you have a suspicious nature, which of course I don't, to wonder about the propriety of this deal. The same union that was instrumental in getting this no-strike, no-lockout deal with 23% wage increases is the union which has got huge subsidies from this government for non-profit housing. And if this information I've been given is correct, I'm given to believe that the son of Mr Reilly, the manager of that union who sent out the letter telling everybody to squeeze all of the contractors to pay as much for the fund-raiser, is in fact the manager of all of that company's non-profit housing. Surprisingly, he's also listed I believe as being one of the trainers at a training centre which is getting Jobs Ontario funds. So he's being paid in two areas out of government funding and his father has just received a provincial appointment.

This is the union that is being investigated by the police. And this is the contract that, every time I asked a question to the government, the minister shot up to attention and became very careful about how he answered—he wasn't quite his usual glib self—which makes us rather uncomfortable with it. The question I asked in this House on several occasions, and on several occasions in the estimates process, was, "Did we get the lowest bid?" The minister was always very careful to avoid that and gave me this guff about value for money.

Let's just look at the question of value for money. The information I've got, I have to say, is bits and pieces that I've pieced together, because we in the opposition and the taxpayers are not allowed to be able to see exactly what was bid on. But we've pieced together. We know that the winning bid was substantially for six lanes of concrete, whereas we believe the losing bid was for four lanes of asphalt. How do you compare six lanes of concrete with four lanes of asphalt? We've never been told.

There is a process in which one can approximate this. It's a very flawed way of comparing bids. That is to use a life-cycle projection in which you establish what the life-cycle of concrete will be, and the life-cycle of asphalt, and then you choose a number in the distance at some point in time and say: "Okay, concrete will last this long. I'm going to have to resurface asphalt this many times in the meantime." Then you arrive at that life-cycle. The government expects the winning consortium to turn over the road at the end of a 30-year period to it in good condition.

The interesting thing about life-cycle projections is that depending on what time frame you use, you may have no resurfacing of concrete because it may be one year away from being resurfaced or rebuilt, but you may have, say, two and a half cycles of the asphalt, depending on what assumption you build in as to what the lifespans of asphalt and concrete are. We've never been told what that assumption is, and we've never been told whether they used a life-cycle approach to approximating which was the better bid, and we've certainly never been told this is the better bid. We've been told "value for money."

You know something? That is the kind of rhetoric which goes on all the time in this House, but it doesn't answer the question the taxpayers are asking, and that is, "Did the taxpayer get the proper deal?" We'll never know because this government put clauses into these contracts which in fact—

**Mr Jim Wiseman (Durham West):** You're going to get your road 22 years earlier and a lot cheaper.

**Mr Turnbull:** It's very interesting. We get the member for Durham West saying, "Oh, we're getting the road 22 years earlier," which is absolutely preposterous. There was no suggestion that the road wasn't going to be built, so once again his assertions are absolutely fundamentally flawed. It was going to be built—

**Mr Wiseman:** I said it was going to be finished earlier.

**Mr Murdoch:** He wants it so they can get to his dump earlier.

**Mr Turnbull:** My colleague makes a very sage comment: He's eager to make sure that the garbage going to the dump in his riding can get there that much earlier.

The fact is the road was going to be built. By choosing this secretive process, it didn't speed up the process. It didn't speed up the building of the road. We're asking about why it was a secret process, why the opposition parties cannot find out the assumptions that were built into the awarding of this contract.

It has been suggested to me by people who tender in the Third World on contracts that there are many contracts from governments in the Third World that are more clearly spelled out than this, and it leads us to the conclusion that the Ministry of Transportation in Ontario doesn't know how to set out a bid. Either that or there's something worse at stake.

These are the questions that are being raised: the comparison of materials, the life-cycle assumptions, the cost and ultimately what the taxpayer is paying, and we never know because the government built in secrecy clauses. These were there from the very beginning. We were told by the Premier, if I remember correctly, that the confidentiality clauses were to protect the bidders due to the nature of the financing. When the government took the financing out, which in my opinion was very poor judgement, it absolutely destroyed all reasons for confidentiality. Yes, there may have been some aspects of a proprietary nature in terms of the construction of culverts or something like this.

1750

The interesting question also arises in that, once again it is reported to me—I don't know definitively but I'm saying very clearly, and the then Minister of Transportation is sitting in the House listening to this—in fact since the contract has been given to the winning bidder, the winning consortium has been back to the MTO and asked for a reduction in the powder mix of cement in the construction of this highway, which raises the question: Did the government get a reduction in the price of the highway as a result of using a lesser powder mix?

The answer, I would suggest, is no, because we know this government, and in fact in fairness, we know all governments of all political stripes, if suddenly they get a better deal, are going to trumpet it. But we haven't heard anything. In other words, the winning contractor decided in order to get the contract, which presumably was subject to a life-cycle analysis and had a certain concrete mix in it, specified—but now they have gone back and they have changed to a lesser mix.

This may seem very trivial, but when you're talking about a \$1-billion contract, this is not trivial. These are real, serious dollars that the taxpayers deserve to know are being properly spent. But we have no answer from the government. The government has gagged everybody on this. We had a clean, transparent tendering process in this province until this government came along and subverted that. We now have a closed, subjective and questionable process that—

**Mr Sutherland:** Can you say that with a straight face?

**Mr Turnbull:** I'm fascinated when I hear one of the members across the floor saying, "You say it with a straight face." I remember turning on the television in the last Parliament—I wasn't here and neither were you, sir—and listening to how outraged your leader was at some of the things the previous government, the Liberals, did. I believe we would have been peeling him off the ceiling if any previous government had done what you've done, sir. This is the largest contract in history, \$1 billion, and the taxpayers simply don't know whether they're getting the proper value.

We know of the connections between this government and the union that is being investigated, and the taxpayers are saying: "We want to know. We are not accusing people, but we're asking questions. These are legitimate questions that deserve to be answered."

The union that is involved, the Labourers' International, has appointed the president of the winning consortium to its board of directors of its soft tissue clinic which is funded by money from the government. We know there are a lot of connections between the union and this government, but we will never know what this government is doing because they've gagged us all.

Every time we ask questions we get absolutely barricaded by the government; they will—

**Hon Mr Pouliot:** He's inside the clinic now, Madam Speaker.

**Mr Turnbull:** I have, in this House, asked for a public inquiry on this. I can tell you that it will be our intention as a government to do an investigation of the placing of this contract when we form the next government. We will restore the open, transparent, tendering process that the Conservative government put in place in this province in 1952.

Let us turn to the question of the—

*Interjections.*

**The Acting Speaker:** Order. Let the member resume his comments.

**Mr Turnbull:** I'm somewhat disgusted at the former Minister of Transportation making those silly gibes. It was the Conservatives who put in the clean, open process in this province and we have never suggested that we move away from it. It was your government who did this.

Let's just have a look at some of the other things this government has been up to with respect to the Ministry of Transportation.

The Ontario Transportation Capital Corp was created by this government quite obviously to hide various expenditures, and the Provincial Auditor in fact refused to sign the books last year. For the first time in this province's history the Provincial Auditor said, "I will not sign the books." He did not agree with the way this government was accounting for money.

**Hon Mr Pouliot:** He's saying we were misleading. Our integrity is being questioned here.

**The Acting Speaker:** Order.

**Mr Turnbull:** Madam Speaker, I would suggest you may want to ask member for Lake Nipigon if he perhaps wants to joint this debate, because he's got a lot to say



across the floor, heckling me. Yet when I ask questions, he never has any answers. Quite apart—

*Interjections.*

**The Acting Speaker:** Will you take your seat, please. I think all—

*Interjections.*

**The Acting Speaker:** Order. Each member does have the right to express their opinion in this House. It is my duty to allow each member to do that. You will, each member on this side and on the other side, have that right. I would ask the members to come to order. Please continue your remarks.

**Mr Turnbull:** The Ontario Transportation Capital Corp was a ruse to hide expenditures of this government. It's a ruse that didn't work, and the Provincial Auditor said so. He disapproved of it. Indeed with the new accounting methods, we now see that the debt of this province is much larger than the government had suggested.

The president of Dominion Bond Rating Service had commented some months ago about his distress about the way the government was reporting some of the debt, or lack of reporting thereof.

Another interesting example of how this government has been diverting money to its friends was that Wally Majesky, one of their favourite previous union leaders, suggested a study should be done of urban transportation

methods. Wally in fact put in the suggestion and they gave him the contract. Initially the ministry said no, but he went back to his pals and then they approved it. Wally's contract wasn't tendered. It cost the taxpayers of Ontario in excess of \$160,000.

Some months into the developing of this report, the actual guidelines as to what the report was to contain had not been developed jointly between the ministry and Mr Majesky. Guess what? In the end, it was Ministry of Transportation staff who wrote most of the report. But I guess Wally certainly added some colour to this by the anti-private-sector cartoons that were in it which depicted that anybody to do with the private sector was evil inherently.

This is the government that suggests it's open for business and that it is user-friendly. What an absolutely ridiculous situation, that they would suggest this when indeed we know that the whole of the report was filled with rhetoric and was filled with cartoons which were of an anti-private-sector nature.

It being 6 of the clock, I will move adjournment of the debate.

**The Acting Speaker:** This debate will continue at a future date. It being 6 of the clock, this House stands adjourned until 1:30 tomorrow afternoon.

*The House adjourned at 1801.*

**LEGISLATIVE ASSEMBLY OF ONTARIO  
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD  
Speaker/Président: Hon/L'hon David Warner  
Clerk/Greffier: Claude L. DesRosiers  
Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries  
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Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	<b>Wildman, Hon/L'hon Bud</b> (ND) Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones	Halton Centre/-Centre Halton North/-Nord Hamilton Centre/-Centre	Sullivan, Barbara (L) Duignan, Noel (ND) <b>Christopherson, Hon/ L'hon David</b> (ND) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Algoma-Manitoulin Beaches-Woodbine	Brown, Michael A. (L) <b>Lankin, Hon/L'hon Frances</b> (ND) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce	Hamilton East/-Est Hamilton Mountain	Mackenzie, Bob (ND) <b>Charlton, Hon/L'hon Brian A.</b> (ND) Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Brampton North/-Nord Brampton South/-Sud Brant-Haldimand Brantford	McClelland, Carman (L) Callahan, Robert V. (L) Eddy, Ron (L) <b>Ward, Hon/L'hon Brad</b> (ND) Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances	Hamilton West/-Ouest	<b>Allen, Hon/L'hon Richard</b> (ND) Minister of Housing / ministre du Logement
Bruce	Vacant	Hastings-Peterborough	<b>Buchanan, Hon/L'hon Elmer</b> (ND) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Burlington South/-Sud Cambridge	Jackson, Cameron (PC) <b>Farnan, Hon/L'hon Mike</b> (ND) Minister of Transportation / ministre des Transports	High Park-Swansea	<b>Ziemba, Hon/L'hon Elaine</b> (ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Carleton	Sterling, Norman W. (PC)	Huron	Klopp, Paul (ND)
Carleton East/-Est	Morin, Gilles E. (L)	Kenora	Miclash, Frank (L)
Chatham-Kent	Hope, Randy R. (ND)	Kingston and The Islands / Kingston et Les Îles	Wilson, Gary (ND)
Cochrane North/-Nord Cochrane South/-Sud	Wood, Len (ND) Bisson, Gilles (ND)	Kitchener	Vacant
Cornwall	Cleary, John C. (L)	Kitchener-Wilmot	Cooper, Mike (ND)
Don Mills	Johnson, David (PC)	Lake Nipigon/Lac-Nipigon	<b>Pouliot, Hon/L'hon Gilles</b> (ND) Minister of Northern Development and Mines, minister responsible for francophone affairs / ministre du Développement du Nord et des Mines, ministre délégué aux Affaires francophones
Dovercourt	<b>Silipo, Hon/L'hon Tony</b> (ND) Minister of Community and Social Services / ministre des Services sociaux et communautaires	Lambton	Mackinnon, Ellen (ND)
Downsview	Perruzza, Anthony (ND)	Lanark-Renfrew	Jordan, Leo (PC)
Dufferin-Peel	Tilson, David (PC)	Lawrence	Cordiano, Joseph (L)
Durham Centre/-Centre	White, Drummond (ND)	Leeds-Grenville	Runciman, Robert W. (PC)
Durham East/-Est	Mills, Gordon (ND)	Lincoln	Hansen, Ron (ND)
Durham West/-Ouest	Wiseman, Jim (ND)	London Centre/-Centre	<b>Boyd, Hon/L'hon Marion</b> (ND) Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Durham-York	O'Connor, Larry (ND)	London North/-Nord	Cunningham, Dianne (PC)
Eglinton	Poole, Dianne (L)	London South/-Sud	Winninger, David (ND)
Elgin	North, Peter (Ind)	Markham	Vacant
Essex-Kent	Hayes, Pat (ND)	Middlesex	<b>Mathysen, Hon/L'hon Irene</b> (ND) Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs
Essex South/-Sud	Crozier, Bruce (L)	Mississauga East/-Est	Sola, John (Ind)
Etobicoke-Humber	Henderson, D. James (L)	Mississauga North/-Nord	Offer, Steven (L)
Etobicoke-Lakeshore	<b>Grier, Hon/L'hon Ruth</b> (ND) Minister of Health / ministre de la Santé	Mississauga South/-Sud	Marland, Margaret (PC)
Etobicoke-Rexdale	<b>Philip, Hon/L'hon Ed</b> (ND) Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto	Mississauga West/-Ouest	Mahoney, Steven W. (L)
Etobicoke West/-Ouest	Stockwell, Chris (PC)		
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition		
Fort York	Marchese, Rosario (ND)		
Frontenac-Addington	<b>Wilson, Hon/L'hon Fred</b> (ND) Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement		
Grey-Owen Sound	Murdoch, Bill (PC)		
Guelph	Fletcher, Derek (ND)		



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Muskoka-Georgian Bay	Waters, Daniel (ND)	Samia	<b>Huget, Hon/L'hon Bob</b> (ND) Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Nepean	Daigeler, Hans (L)		Martin, Tony (ND)
Niagara Falls	Harrington, Margaret H. (ND)	Sault Ste Marie /	
Niagara South/-Sud	<b>Coppen, Hon/L'hon Shirley</b> (ND) Minister of Labour / ministre du Travail	Sault-Sainte-Marie	Phillips, Gerry (L)
Nickel Belt	<b>Laughren, Hon/L'hon Floyd</b> (ND) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Scarborough-Agincourt	<b>Owens, Hon/L'hon Stephen</b> (ND) Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation
Nipissing	Harris, Michael D. (PC)	Scarborough Centre/-Centre	Frankford, Robert (ND)
Norfolk	Jamison, Norm (ND)		<b>Warner, Hon/L'hon David</b> (ND) Speaker / Président
Northumberland	Fawcett, Joan M. (L)	Scarborough East/-Est	Curling, Alvin (L)
Oakville South/-Sud	Carr, Gary (PC)	Scarborough-Ellesmere	<b>Swarbrick, Hon/L'hon Anne</b> (ND) Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Oakwood	Rizzo, Tony (ND)		Wessenger, Paul (ND)
Oriole	Caplan, Elinor (L)	Scarborough North/-Nord	McLean, Allan K. (PC)
Oshawa	<b>Pilkey, Hon/L'hon Allan</b> (ND) Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales	Scarborough West/-Ouest	Wilson, Jim (PC)
	Gigantes, Evelyn (ND)		Murdock, Sharon (ND)
Ottawa Centre/-Centre	Grandmaître, Bernard (L)	Simcoe Centre/-Centre	Martel, Shelley (ND)
Ottawa East/-Est	O'Neill, Yvonne (L)	Simcoe East/-Est	Ramsay, David (L)
Ottawa-Rideau	McGuinty, Dalton (L)	Simcoe West/-Ouest	Hodgson, Chris (PC)
Ottawa South/-Sud	Chiarelli, Robert (L)	Sudbury	Witmer, Elizabeth (PC)
Ottawa West/-Ouest	Sutherland, Kimble (ND)	Sudbury East/-Est	Kormos, Peter (ND)
Oxford	Ruprecht, Tony (L)	Timiskaming	Arnott, Ted (PC)
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Parry Sound	Haslam, Karen (ND)	Waterloo North/-Nord	Abel, Donald (ND)
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Port Arthur	Poirier, Jean (L)	Wentworth East/-Est	<b>Cooke, Hon/L'hon David S.</b> (ND) Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'oeuvre
Prescott and Russell / Prescott et Russell	Johnson, Paul R. (ND)	Wentworth North/-Nord	Dadamo, George (ND)
Prince Edward-Lennox-South Hastings/Prince Edward-Lennox-Hastings-Sud		Willowdale	Lessard, Wayne (ND)
Quinte	O'Neil, Hugh (L)	Wilson Heights	Sorbara, Gregory S. (L)
Rainy River	<b>Hampton, Hon/L'hon Howard</b> (ND) Minister of Natural Resources / ministre des Richesses naturelles	Windsor-Riverside	Malkowski, Gary (ND)
	Conway, Sean G. (L)		Turnbull, David (PC)
Renfrew North/-Nord	<b>Churley, Hon/L'hon Marilyn</b> (ND) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	Windsor-Sandwich	Beer, Charles (L)
Riverdale	Villeneuve, Noble (PC)	Windsor-Walkerville	<b>Rae, Hon/L'hon Bob</b> (ND) Premier, President of the Executive Council, Minister of Inter-governmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
S-D-G & East Grenville / S-D-G et Grenville-Est		York Centre/-Centre	Mammoliti, George (ND)
St Andrew-St Patrick	Vacant	York East/-Est	
St Catharines	Bradley, James J. (L)	York Mills	
St Catharines-Brock	Haeck, Christel (ND)	York-Mackenzie	
St George-St David	Murphy, Tim (L)	York South/-Sud	
		Yorkview	

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Larry O'Connor, Yvonne O'Neill, Tony Rizzo, Jim Wilson  
Clerk/Greffier: Douglas Arnott



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